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LEGISLATIVE HISTORY

Public Law 85-312
H. R. 2486

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DIGEST OF PUBLIC LAW 85-312

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INDEX AND SUMMARY OF H. R. 2486

Jan.	10, 1957	Rep. Poage introduced H. R. 2486, Rep. Fisher H. R. 2433, and Rep. Hill, H. R. 2449 which were referred to the House Committee on Agriculture. Prints of bills as introduced.
Jan.	25, 1957	Sen. Allott introduced and discussed S. 860 which was referred to the Senate Agriculture and Forestry Committee. Print of bill as introduced. Remarks of Sen. Allott.
Jan.	29, 1957	Sen. Johnson introduced and discussed S. 926 which was referred to the Senate Agriculture and Forestry Committee. Print of bill as introduced and remarks of Sen. Johnson.
Apr.	10, 1957	House committee reported H. R. 2486 without amendment. H. Rept. No. 341. Print of bill and report.
May	6, 1957	House passed H. R. 2486 without amendment.
May	8, 1957	H. R. 2486 was referred to the Senate Agriculture and Forestry Committee. Print of bill as referred.
Aug.	19, 1957	Senate committee reported H. R. 2486 with amendment. Senate Report No. 1041. Print of bill and report.
Aug.	26, 1957	Senate passed over H. R. 2486 on request of Sen. Clark.
Aug.	30, 1957	Senate passed H. R. 2486 with amendment. House concurred in Senate amendment.
Sept.	7, 1957	Approved: Public Law 85-312

DIGEST OF PUBLIC LAW 85-312

RELIEF FROM EMERGENCY FEED PROGRAM CLAIMS. Authorizes CCC, under regulations approved by the Secretary, to grant relief to farmers and dealers in connection with claims arising out of early and late deliveries under purchase orders for drought relief feed issued under the 1954, 1955, and 1956 emergency feed programs by recognizing as valid those purchases and deliveries of designated surplus feed grains and approved mixed feeds, which (a) were actually purchased by the farmer from the dealer on or after the date the Secretary declared the county, where the purchase order was issued, to be eligible for assistance under the emergency feed program, and (b) are found to have been physically delivered to the farmer not later than six months from the expiration date of the purchase order issued to the farmer.

85TH CONGRESS
1ST SESSION

H. R. 2486

IN THE HOUSE OF REPRESENTATIVES

JANUARY 10, 1957

Mr. POAGE introduced the following bill; which was referred to the Committee on Agriculture

A BILL

To authorize Commodity Credit Corporation to grant relief with respect to claims arising out of deliveries of eligible surplus feed grains on ineligible dates in connection with purchase orders under its emergency feed program.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That Commodity Credit Corporation, under such regula-
4 tions as may be approved by the Secretary of Agriculture,
5 is hereby authorized to grant relief to farmers and dealers
6 in connection with claims arising out of early and late de-
7 liveries under purchase orders for drought relief feed issued
8 under the 1954, 1955, and 1956 emergency feed programs,
9 by recognizing as valid those purchases and deliveries of

1 designated surplus feed grains and approved mixed feeds,
2 which (a) were actually purchased by the farmer from
3 the dealer on or after the date the Secretary declared the
4 county, where the purchase order was issued, to be eligible
5 for assistance under the emergency feed program, and (b)
6 are found to have been physically delivered to the farmer
7 not later than twelve months from the date the purchase
8 order was issued to the farmer.

A BILL

To authorize Commodity Credit Corporation to grant relief with respect to claims arising out of deliveries of eligible surplus feed grains on ineligible dates in connection with purchase orders under its emergency feed program.

By Mr. POAGE

JANUARY 10, 1957

Referred to the Committee on Agriculture

85TH CONGRESS
1ST SESSION

H. R. 2433

IN THE HOUSE OF REPRESENTATIVES

JANUARY 10, 1957

Mr. FISHER introduced the following bill; which was referred to the Committee on Agriculture

A BILL

To authorize Commodity Credit Corporation to grant relief with respect to claims arising out of deliveries of eligible surplus feed grains on ineligible dates in connection with purchase orders under its emergency feed program.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That Commodity Credit Corporation, under such regulations
4 as may be approved by the Secretary of Agriculture, is hereby
5 authorized to grant relief to farmers and dealers in connec-
6 tion with claims arising out of early and late deliveries under
7 purchase orders for drought relief feed issued under the 1954,
8 1955, and 1956 emergency feed programs, by recognizing
9 as valid those purchases and deliveries of designated surplus

1 feed grains and approved mixed feeds, which (a) were
2 actually purchased by the farmer from the dealer on or after
3 the date the Secretary declared the county, where the pur-
4 chase order was issued, to be eligible for assistance under
5 the Emergency Feed Program, and (b) are found to have
6 been physically delivered to the farmer not later than twelve
7 months from the date the purchase order was issued to the
8 farmer.

A BILL

To authorize Commodity Credit Corporation to grant relief with respect to claims arising out of deliveries of eligible surplus feed grains on ineligible dates in connection with purchase orders under its emergency feed program.

By Mr. FISHER

JANUARY 10, 1957

Referred to the Committee on Agriculture

85TH CONGRESS
1ST SESSION

H. R. 2449

IN THE HOUSE OF REPRESENTATIVES

JANUARY 10, 1957

Mr. HILL introduced the following bill; which was referred to the Committee on Agriculture

A BILL

To authorize Commodity Credit Corporation to grant relief with respect to claims arising out of deliveries of eligible surplus feed grains on ineligible dates in connection with purchase orders under its emergency feed program.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That Commodity Credit Corporation, under such regulations
4 as may be approved by the Secretary of Agriculture, is
5 hereby authorized to grant relief to farmers and dealers in
6 connection with claims arising out of early and late deliveries
7 under purchase orders for drought relief feed issued under
8 the 1954, 1955, and 1956 emergency feed programs, by
9 recognizing as valid those purchases and deliveries of desig-

1 nated surplus feed grains and approved mixed feeds, which
2 (a) were actually purchased by the farmer from the dealer
3 on or after the date the Secretary declared the county, where
4 the purchase order was issued, to be eligible for assistance
5 under the emergency feed program, and (b) are found to
6 have been physically delivered to the farmer not later than
7 twelve months from the date the purchase order was issued
8 to the farmer.

A BILL

To authorize Commodity Credit Corporation to grant relief with respect to claims arising out of deliveries of eligible surplus feed grains on ineligible dates in connection with purchase orders under its emergency feed program.

By Mr. Hull

JANUARY 10, 1957

Referred to the Committee on Agriculture

S. 860

IN THE SENATE OF THE UNITED STATES

JANUARY 25, 1957

Mr. ALLOTT introduced the following bill; which was read twice and referred to the Committee on Agriculture and Forestry

A BILL

To authorize the Commodity Credit Corporation to grant relief with respect to claims arising out of deliveries of eligible surplus feed grains on ineligible dates in connection with purchase orders under its emergency feed programs.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the Commodity Credit Corporation, under such regu-
4 lations as may be approved by the Secretary of Agriculture,
5 is hereby authorized to grant relief to farmers and dealers
6 in connection with claims arising out of early and late de-
7 liveries under purchase orders for drought relief feed issued
8 under the 1954, 1955, and 1956 Emergency Feed Pro-
9 grams, authorized pursuant to section 2 (d) of the Act of

1 April 6, 1949, as amended (63 Stat. 43), and section 407
2 of the Agricultural Act of 1949, as amended (63 Stat.
3 1055), by recognizing as valid those purchases and deliveries
4 of designated surplus feed grains and approved mixed feeds,
5 which (a) were actually purchased by the farmer from
6 the dealer on or after the date the Secretary declared the
7 county, where the purchase order was issued, to be eligible
8 for assistance under such an emergency feed program, and
9 (b) are found to have been physically delivered to the
10 farmer not later than twelve months from the date the
11 purchase order was issued to the farmer.

A BILL

To authorize the Commodity Credit Corporation to grant relief with respect to claims arising out of deliveries of eligible surplus feed grains on ineligible dates in connection with purchase orders under its emergency feed programs.

By Mr. ALLOT

JANUARY 25, 1957

Read twice and referred to the Committee on
Agriculture and Forestry

tee on Labor and Public Welfare, as follows:

S. 856. A bill to repeal section 9 (h) of the National Labor Relations Act, as amended, relating to non-Communist affidavits;

S. 857. A bill to amend the National Labor Relations Act in order to permit supervisors to be considered as employees under the provisions of such act, and for other purposes;

S. 858. A bill to amend the National Labor Relations Act, as amended; and

S. 859. A bill to amend section 14 (b) of the National Labor Relations Act so as to protect the rights of employees and employers, in industries affecting commerce, to enter into union-shop agreements.

RELIEF TO FARMERS AND DEALERS RELATING TO CLAIMS ARISING FROM DELIVERY OF CERTAIN FEED

Mr. ALLOTT. Mr. President, I introduce, for appropriate reference, a bill to authorize the Commodity Credit Corporation to grant relief to farmers and dealers in connection with claims arising out of early and late deliveries of feed under the 1954, 1955, and 1956 emergency feed programs.

This bill, if enacted, would permit the CCC, under regulations approved by the Secretary of Agriculture, to correct a situation which has arisen in nearly all the States where emergency feed programs were in effect.

Under these programs the farmers were issued purchase orders by the FHA county committees, and were sold feed on the strength of these orders by the dealers during the emergency period; but ASC auditors subsequently determined that the dealer had not made delivery of the feed within the prescribed period, and that they were either early or late in the delivery.

The farmers and dealers in these instances were victimized by inadequate and misleading instructions from the Department of Agriculture. No adequate definitions, guides, or rules covered the problem of ineligible date deliveries while the program was in effect, and subsequently issued regulations were retrospective in application.

Mr. President, the bill, if enacted, would give the CCC the authority to grant relief to dealers and farmers who acted in good faith under the program by recognizing as valid those purchases and deliveries: First, which were actually purchased by the farmer from the dealer on or after the date the Secretary declared the county to be eligible for assistance under the emergency feed program; second, which are found to have been physically delivered to the farmer not later than 12 months from the date when the purchase order was issued to the farmer.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 860) to authorize the Commodity Credit Corporation to grant relief with respect to claims arising out of deliveries of eligible surplus feed grains on ineligible dates in connection with purchase orders under its emergency feed programs, introduced by Mr.

ALLOTT, was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

ASSISTANCE IN CONSTRUCTION OF PUBLIC ELEMENTARY AND SECONDARY SCHOOL FACILITIES

Mr. COOPER. Mr. President, on behalf of myself, and my colleague, the junior Senator from Kentucky [Mr. MORTON], I introduce, for appropriate reference, a bill authorizing the appropriation of Federal assistance for public school construction, in the sum of \$1,600,000,000 over a period of 4 years.

It may be that provisions of this bill will be incorporated in the proposed legislation to be introduced soon on behalf of the administration, and at the request of President Eisenhower. Nevertheless, I have introduced this bill so that a number of approaches may be studied by the Committee on Labor and Public Welfare, of which I am a member.

I also desire to affirm my continuing interest in this field. In 1947, I was one of the four sponsors who joined with Senator Taft in the introduction of his bill to provide Federal aid for teachers and the bill was passed by the Senate.

In 1953, I introduced Senate bill 2601 to provide aid for school construction, and, while the bill secured the unanimous support of the committee, it did not come to a vote in the Senate.

I consider that aid to the States for educational purposes is a basic need and it must be provided at this session of Congress. I would hope that the opportune action of the Congress would lead to a renewed effort by the States, and at all local levels, to provide equal educational opportunities for all children, and to raise the standards of teacher training and of curricula throughout the Nation.

I appreciate very much the generous statements which were made by the junior Senator from Minnesota [Mr. HUMPHREY] in the course of his speech, and I commend him for bringing before the Senate many problems which attend the administration of Federal aid for school construction.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 365) to provide for Federal financial assistance to the States and Territories in the construction of public elementary and secondary school facilities, introduced by Mr. COOPER (for himself and Mr. MORTON), was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

ADMISSION OF 10,000 REFUGEE ORPHANS TO THE UNITED STATES

Mr. NEUBERGER. Mr. President, one of the most heart-warming projects on which I ever have worked was passage of our bill, in the first session of the 84th Congress, to permit Mr. and Mrs. Harry Holt, of Creswell, Oreg., to bring into the United States eight Korean-war orphans. My greatest thrill and satisfaction since I became a Member of the Senate oc-

curred on October 14, 1955, at the Portland International Airport, when Harry Holt and his eight adopted Koreans arrived home. Mrs. Neuberger and I have visited the Holt home, and have seen the wonderful care which the Holt family is giving to their new children. Recently I have read the fine new book by Mrs. Holt, *Seed From the East*, which tells of their great experiences in helping others.

But the Holt family has not stopped succoring the homeless orphans of Korea. The Holt family has made many trips to Korea on behalf of these orphans, and is currently in Korea. Mr. Holt has spent almost \$100,000 of his own money in behalf of Korean orphans and in aiding other American families in their adoption of these children.

Harry Holt and his wife symbolize to me the Biblical Good Samaritan. What nobler and more unselfish deed could there be than to bring to the security and comfort of American homes children from the ravaged and tormented country of Korea?

Let me read a recent letter I have received from a family in Portland, Oreg. The letter tells of the joy and happiness brought to the family of Mr. and Mrs. William Burton, of 437 N. E. Monroe Street, by their two Korean sons:

DEAR SIR: We are writing this letter to you, to express our gratitude to the Senators and Representatives of Congress for making it possible for us to have two sons from Korea through the Refugee Act.

We are sincerely praying and hoping that a new bill be passed enabling the operation of legal adoption by proxy to continue so that other families will be blessed with children too.

My husband and I are not able to have children of our own, yet through the help of you and various others, our home has been brightened immensely and we know there are thousands of others who wish to be able to adopt some of them too.

These unfortunate, homeless children, are really our responsibility because the majority are of partial American heritage although they were not born on American soil.

Would you please help other American couples enjoy the real happiness of having those children in their homes, too?

Enclosed is a picture of our sons.

Thank you for your time and attention.

Sincerely,

Mr. and Mrs. WILLIAM BURTON.

Many of these orphans should be the direct responsibility of our people and Government, since they were fathered by American military personnel. Few children in the world have futures so bleak as those left behind in Japan and Korea by our military forces. These mixed-blood babies are not accepted; they often are mistreated and humiliated. Some are cruelly abandoned.

But the orphan problem is not solely concerned with Japan and Korea; the problem is also urgent in the Middle East, Greece, Italy, and other countries. Many American families have opened their homes to orphans from all parts of the world.

Mr. President, last year I introduced Senate bill 3753, to extend the orphan provisions of the Refugee Relief Act which expired at the end of last December, and to provide for an additional quota of 5,000 orphans. Such a pro-

posal was reported favorably by the Senate Refugee Subcommittee and the Senate Judiciary Committee. The proposed legislation passed the Senate, but unfortunately was not considered favorably by the House of Representatives.

By the failure of Congress to act, the situation concerning orphans who had been adopted by American families became desperate. With the exhaustion of the 4,000 orphan quota in the Refugee Relief Act, many families were finding it impossible to bring their recently adopted children into the United States.

To help the many families who could not bring their adopted children into our country, I wrote the Secretary of State and the Attorney General, urging immediate emergency action so these children could join their new families in our country.

Mr. President, I ask unanimous consent that my letter of October 26, 1956, to the Secretary of State, and the replies received from the Department of State and the Commissioner of Immigration, be printed at this point in the RECORD, as a part of my remarks.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

UNITED STATES SENATE,
COMMITTEE ON INTERIOR AND
INSULAR AFFAIRS,
October 26, 1956.

HON. JOHN FOSTER DULLES,
Secretary of State,
Washington, D. C.

DEAR MR. SECRETARY: I am writing to you in the hope that you can take prompt action to admit to the United States war orphans who have been adopted by American families.

The Refugee Relief Act provides that 4,000 war orphans could be admitted to the United States. This law expires at the end of the year and the orphan quotas have long since been exhausted. Many American families have adopted war orphans in the hope and expectation that their adopted children could enter our country. Now that the quotas have been exhausted, these children are not permitted to enter the United States.

In the last session of Congress, I sponsored legislation to extend and enlarge the orphan program under the Refugee Relief Act. This legislation passed the Senate in the closing hours of the session, but was not considered by the House of Representatives. I plan to reintroduce similar legislation in the next session, and I have been assured by the respective chairmen of the House and Senate Judiciary Committees that such legislation will receive prompt consideration.

Without special action on the part of your Department, these children will not be permitted to enter the United States until after Congress acts next year. These children face a bleak and uncertain future in their homelands, away from their American parents. The situation is particularly distressing for the mixed-blood orphans in Korea and Japan; another cold winter in Korea will spell death for many of these mixed-blood orphans, who were fathered by American military personnel.

Under the Immigration and Nationality Act, the Attorney General and the Secretary of State, acting jointly, may waive certain of the immigration requirements on the basis of an unforeseen emergency in individual cases, and the Attorney General may, in his discretion, parole into the United States temporarily under such conditions as he may prescribe for emergent reasons or for reasons deemed strictly in the public interest any

alien applying for admission to the United States.

I hope that you and the Attorney General will be able to take prompt action to see that these children are admitted at this time to our country. I know that you will receive the blessings of many American families for your action.

Respectfully,

RICHARD L. NEUBERGER,
United States Senator.

UNITED STATES DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington, D. C., November 2, 1956.

HON. RICHARD L. NEUBERGER,
United States Senate,
Washington, D. C.

DEAR SENATOR NEUBERGER: Reference is made to your letter of October 26, 1956, requesting that action be taken to allow war orphans who have been adopted by American families entry into the United States even though the 4,000 visas authorized under the provisions of the Refugee Relief Act for orphans have been allocated.

I am pleased to advise you that a procedure has been worked out between the Immigration and Naturalization Service and the Department of State under which orphans who are eligible for visas under the provisions of section 5 of the Refugee Relief Act but who are unable to obtain visas because of unavailability of numbers will be paroled into the United States pending possible remedial legislation. Instructions were issued to the Immigration and consular officers abroad on October 30, 1956, directing them to proceed with the processing of such cases.

Sincerely,

J. M. SWING, Commissioner.

DEPARTMENT OF STATE,
Washington, November 7, 1956.
The Honorable RICHARD L. NEUBERGER,
United States Senate.

DEAR SENATOR NEUBERGER: Secretary Dulles has referred to me for reply, your letter of October 26, 1956, commenting upon enlarging the orphan phase of the refugee-relief program.

Since it became known several months ago that the 4,000 visas provided for orphans by the Refugee Relief Act would be exhausted, there have been brought to the attention of the Department of State scores of cases in which orphans adopted by Americans are now unable to receive visas. The need for additional legislation has been evident for some time. In fact, the President has proposed such legislation on several occasions during the past 2 years.

Several weeks ago, at the suggestion of the President, the Department of State and the Department of Justice explored ways of permitting these orphan children to enter the United States pending further action by the Congress. I am happy to be able to tell you that, after consultation with the appropriate congressional committees, a temporary procedure has been agreed upon and, in the absence of visa numbers, eligible orphans will be admitted to the United States under the parole provisions of the Immigration and Nationality Act. The particulars about these admissions will be reported to the Judiciary Committees of the Senate and the House of Representatives and, presumably, appropriate legislation will be drafted and submitted to the Congress to regularize the status of these orphans.

I am confident this will relieve the situation about which you wrote. I am enclosing a copy of a memorandum concerning the procedures, which was sent to all the Members of Congress by the Deputy Administrator of the refugee-relief program.

Sincerely yours,

ROBERT C. HILL,
Assistant Secretary.

Mr. NEUBERGER. Mr. President, under regulations adopted by the State Department and the Attorney General's office, the emergency parole procedures of the Immigration and Nationality Act were used to allow eligible adopted orphans to enter our country and join their new parents, thus alleviating hardships which threatened many American families.

The regulations, as worked out by the Department of State and the Justice Department, provide that the adopted orphans will be able to enter our country without an immigrant visa, by being paroled to their new parents, awaiting enactment by the Congress of legislation to regularize the status of these orphans in the United States. Under current regulations of the Immigration Service, the emergency parole procedure as applied to orphans will expire at the end of this month. The Immigration Service has told me that 213 orphans have been admitted to our country under this procedure.

Mr. President, today I am introducing proposed legislation to reestablish, within the State Department, an orphan program. The bill is quite similar to the provisions of the orphan section of the Refugee Relief Act. My bill provides for a quota of 10,000 special nonquota immigrant visas, to be issued to eligible orphans until such time as the quota is exhausted. My bill also increases the age of eligible orphans from 10 years, as provided in the Refugee Relief Act, to 12 years.

The other important section of the bill would grant permanent residence in the United States for the orphans admitted under the emergency parole procedures, and these adopted orphans would thus be on the same basis as if they had been issued immigrant visas.

Mr. President, in the struggle between the Communist world and the free world, our country's symbol as a haven to the oppressed must endure. I know of no opposition to admitting to our country up to 10,000 war orphans who have been adopted by American families. While our country spends many billions of dollars in the fields of mutual aid, we can strike a blow for freedom by promptly enacting legislation admitting additional war orphans. These orphans definitely are in no danger of bringing to our country any ideologies perilous to the American traditions of freedom and liberty.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD, as part of my remarks, the bill I am introducing today, on behalf of myself and the distinguished senior Senator from Oregon [Mr. MORSE].

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 866) authorizing the issuance of not to exceed 10,000 special nonquota immigrant visas to eligible orphans, introduced by Mr. NEUBERGER (for himself and Mr. MORSE), was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

85TH CONGRESS
1ST SESSION

S. 926

IN THE SENATE OF THE UNITED STATES

JANUARY 29, 1957

Mr. JOHNSON of Texas (for himself and Mr. BLAKLEY) introduced the following bill; which was read twice and referred to the Committee on Agriculture and Forestry

A BILL

To authorize Commodity Credit Corporation to grant relief with respect to claims arising out of deliveries of eligible surplus feed grains on ineligible dates in connection with purchase orders under its emergency feed program.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That Commodity Credit Corporation, under such regulations
4 as may be approved by the Secretary of Agriculture, is
5 hereby authorized to grant relief to farmers and dealers in
6 connection with claims and refunds arising out of early and
7 late deliveries under purchase orders for drought relief feed
8 issued under the 1954, 1955, and 1956 emergency feed pro-

1 grams, by recognizing as valid those purchases and deliveries
2 of designated surplus feed grains and approved mixed feeds,
3 which (a) were actually purchased by the farmer from the
4 dealer on or after the date the Secretary declared the county,
5 where the purchase order was issued, to be eligible for assist-
6 ance under the emergency feed program, and (b) are found
7 to have been physically delivered to the farmer not later than
8 twelve months from the date the purchase order was issued
9 to the farmer.

A BILL

To authorize Commodity Credit Corporation to grant relief with respect to claims arising out of deliveries of eligible surplus feed grains on ineligible dates in connection with purchase orders under its emergency feed program.

By Mr. JOHNSON of Texas and Mr. BLAKLEY

JANUARY 29, 1957

Read twice and referred to the Committee on
Agriculture and Forestry

is equivalent to \$10.81 per employee covered. During this same period production time lost as a result of these injuries amounted to 2,917,220 chargeable days, equal to a production loss of approximately 17 million work-hours. Since the average Government hourly rate in 1954 was \$2, production time lost amounted to more than \$33 million in actual cost, which is equivalent to 9,060 employees of the Government from whom the Government derived no production benefits, based upon an average Government employee's working year of 230 days.

Finally, between 1944 and 1954, the accident frequency rate of the Federal Government was reduced 30 percent, as compared with a reduction of 50.1 percent in private industry during this same period. Between 1950 and 1954 the Federal Government accident frequency rate was reduced only 10.5 percent, as compared with a reduction in private industry of 22.4 percent.

Mr. President, during the 84th Congress 12 Members from both sides of the aisle joined with me as cosponsors of S. 3517. At this time I am happy to announce that 14 Senators have joined with me as cosponsors of the measure I am now presenting. The urgent need for improvement of safety programs and procedures in the Federal Government has, I believe, been amply demonstrated by the statistics I have just quoted. I sincerely hope that additional Senators from both political parties will join with me in support of this important humanitarian measure. In order to allow further time for additional cosponsors, I ask unanimous consent that this bill be held at the desk until Friday, February 1.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be held at the desk, as requested by the Senator from Minnesota.

The bill (S. 931) to provide for the reorganization of the safety functions of the Federal Government, and for other purposes, introduced by Mr. HUMPHREY (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Government Operations.

FEDERAL ADMINISTRATIVE PRACTICE ACT OF 1957

Mr. HENNINGS. Mr. President, on behalf of the senior Senator from Wisconsin [Mr. WILEY] and myself, I introduce, for appropriate reference, a bill, at the request of the American Bar Association, to be known as the Federal Administrative Practice Act of 1957.

Mr. President, this bill is so far-reaching and encompasses so many aspects of administrative law practice and procedure that I cannot be committed ahead of time to support all its terms, even though I am delighted and feel honored to be invited to be a principal sponsor.

Studies by the Senate Judiciary Subcommittee on Constitutional Rights, of which I have been privileged to be chairman, in both the 84th and the present Congress, have made me increasingly aware of the impact on the rights of Americans resulting from the operation

and decisions of administrative agencies, tribunals, and regulatory bodies. An examination of the American Bar Association's present recommendation, and others to be forthcoming in the near future, should prove profitable to our work in protecting the sacred rights guaranteed our people in the Constitution of the United States.

I am certain that this proposal will receive the most serious study and consideration by the Congress. A tremendous amount of time, effort, and skill has gone into its preparation. The American Bar Association is composed of such highly respected law practitioners, judges, and legislators throughout our country that I know their recommendations are entitled to and will receive much more than passing attention by the Congress of the United States. And, further, I understand that this bill is a top priority item in the ABA's broad legislative program for this year.

Mr. President, I ask unanimous consent to have printed at this point in my remarks, in the body of the RECORD, a brief summary of the provisions of this bill.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the analysis will be printed in the RECORD.

The bill (S. 932) to establish an Office of Federal Administrative Practice; to provide for the appointment and administration of a corps of hearing commissioners; to provide for admission to and control of practice; to establish a legal career service for improvement of legal services in Government; and for other purposes, introduced by Mr. HENNINGS (for himself and Mr. WILEY), was received, read twice by its title, and referred to the Committee on Government Operations.

The analysis, presented by Mr. HENNINGS is as follows:

TITLE BY TITLE ANALYSIS—THE FEDERAL ADMINISTRATIVE PRACTICES ACT OF 1957

This bill would provide for the improvement of administrative procedures and practice by establishing an Office of Federal Administrative Practice, an independent agency, which would initiate centralized coordination of procedure and practice matters; administer an improved Hearing Commissioner program; establish a new legal career system for Government legal services and provide for the admission and control of practice and representation of persons in the conduct of proceedings or matters before the various Federal agencies.

The Office of Federal Administrative Practice, under title I, would be headed by a Director and Deputy Director appointed by the President, with consent of the Senate, for terms of 10 years and 5 years respectively. The office would have three major divisions administered by Assistant Directors; namely, Division of Administrative Procedure, Division of Hearing Commissioners, and Division of Government Practice. The Director would report directly to the Congress on any matter for improving the effectiveness and efficiency of Government operations in the area of procedures and practice. The office mainly would operate at interagency level and would provide machinery for the coordination and direction of procedures and practice on matters of concern horizontally and uniformly among the agencies. It would perform needed and indispensable service to citizens, concerns,

and industries in their day to day dealings with agencies of Government.

Title II would provide new and improved measures for the recruitment, appointment, and administration of Hearing Commissioners. Trial examiners now serving would be given Hearing Commissioner status and continued duty with the agencies where they now serve.

Title III would establish for the first time a legal career service for civilian lawyers in Government service and promote the efficiency of Government legal services. The present system is haphazard and confused. The proposed bill would facilitate the recruitment, employment, and retention of lawyers of outstanding character and ability in the legal career service, and assure the performance of the legal work of the Government in accordance with high professional standards.

Title IV assures the right of persons to representation in matters or proceedings before Government agencies. It provides for both attorney practice and lay representation and imposes standards of conduct for both in the handling of matters before Government agencies. The bill would assist attorneys throughout the country by providing for centralized admission to practice. Detailed provisions are made for disciplinary proceedings and control of unprofessional conduct.

The bill is almost entirely new legislation. It provides the basis for an orderly improvement of procedures and practice of far-reaching importance to the Federal agencies, to the Congress and to all citizens having matters before the Federal agencies. The bill provides a new approach to proposals which have been of increasing interest to the Congress and to the public for more than a decade; as to most of the provisions, there is general recognition of the need for legislation of some sort.

Mr. WILEY. Mr. President, I am happy to join with the senior Senator from Missouri [Mr. HENNINGS] in sponsoring a bill entitled "The Federal Administrative Practice Act of 1957." It would improve administrative practices before the Federal Government and within it.

I ask unanimous consent to have printed in the RECORD my statement concerning this bill.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR WILEY

The Federal Administrative Practices Act of 1957, which I am cosponsoring today, is the same as H. R. 3349 and H. R. 3350, introduced on January 22, 1957, and referred to the House Committee on the Judiciary. This bill is designed to accomplish four principal purposes.

PURPOSES

The first purpose is to establish an office of Federal administrative practice, which shall be an independent agency.

The second is to provide for the appointment and administration of a corps of hearing commissioners. They would have tenure and independence so long as they performed their functions properly.

The third major purpose of this legislation is to provide for admission to practice before the Federal Government, and for regulation of that practice. I understand that the pertinent provisions are intended to take into account the many forms of practice before Federal agencies.

The fourth, and certainly not the least important purpose, is the establishment of a legal career service for the improvement

of legal services in the Federal Government. The legal work of the Federal Government can be no better than the skill and integrity of its lawyers. And this title of the bill would better achieve that end by setting up a legal career service.

SUPPORT

I believe that each of these subjects deserve the serious and thorough consideration of the Senate.

I am happy, therefore, to have this opportunity and honor of cosponsoring this bill.

I am informed that the provisions of this legislation have wide approval by members of the American Bar Association. The appropriate committees of that great association of lawyers have considered the matter at length and have devoted their skill and a great deal of their time to the preparation of the draft of this bill. As a matter of fact, I am cosponsoring the bill at the suggestion of the chairman of the American Bar Association committee charged with the function of coordinating and proposing legislation of this type.

Many distinguished members of the bar have contributed their thoughts to the preparation of this legislation. The recommendations of the Hoover Commission on this subject have been taken into consideration, as have the recommendations of the President's Conference on Administrative Procedure.

SHOULD HAVE HEARING

It is my earnest belief that the bill deserves an early hearing. The Judiciary Committee through its proper subcommittee, should, in my opinion, conduct public hearings on this legislation as soon as convenient. At that time, the American Bar Association and others with expert reactions to this legislation would have a full opportunity to present their views.

That would include any opponents. They would have ample opportunity to oppose or to point out any defects in this bill. It has been drafted, I am informed, with the thought in mind of not interfering with any established rights or privileges of persons conducting approved practice before the Federal Government. There has been a sincere attempt, I understand, to meet the problems of accountants who do work on behalf of private citizens before the Government.

Although I definitely favor legislation of this type, I want it clearly understood on the record that, in co-sponsoring this bill, I reserve the right to question particular provisions and to come to a final decision on the version of that bill which is ultimately reported. I will by then have had a full opportunity to consider the evidence at the hearing and to take into consideration all of the views expressed with reference to the legislation.

HEARING EXAMINERS AND LAWYERS

It is time that serious and constructive thought be given by the Congress to the question of practice before the Federal Government and the place of hearing examiners and lawyers within the Government.

The present situation is intolerable.

Lawyers for the Federal Government do not have the full protection of the Civil Service Act. When working in attorney positions, they are excluded from most of the protection of the civil-service system. The Civil Service Commission is, as I understand it, not provided with funds to enforce the Civil Service Act with reference to lawyers. A result of this situation is that legal positions are not protected for career people.

The Government, therefore, cannot attract, as it should, the highest type of lawyer interested in making the Government a permanent career. This is not to say, of course, that lawyers working for the Government under the present situation are not men of

ability and integrity. It merely means, I think, that those of capacity should be protected through a career service and that the Government should be able to offer an honorable and permanent career to lawyers willing to devote their lives to the Government, usually, I may add, at a smaller remuneration than they would be able to attain in private practice.

VETERANS

Of course, the veteran has certain protection under the Veterans' Preference Act. Some of these veterans are lawyers. However, the Veterans' Preference Act is not specifically a protection to the lawyers as the civil service is a protection to other Government career people.

GREATER INDEPENDENCE

The bill is also intended to give greater independence to hearing examiners and hearing commissioners who consider the cases of our citizens before Federal agencies. These hearing commissioners are, in a real sense, acting as quasi judicial officers charged with applying the law and deciding the facts in an unbiased way, even though they are paid by the Federal Government. This independence will be achieved under this bill by having the Office of Federal Administrative Practice established and by its administration of the system for the selection of high-grade hearing commissioners. These commissioners would then be assigned to the particular Federal agency whose cases they would consider. Of course, their recommendations and decisions would be subject to review within the agency to which they are assigned, just as they are now under the statutes governing the actions of these agencies.

SAVING PROVISION

There is a saving provision for all of the hearing examiners now in office.

SUMMARY

High standards

One of the basic principles of our legal system is that the legal officer, whether he be hearing commissioner or judge, must be unbiased in considering any controversy before him between an American citizen and his Government.

Another basic principle of our Government is that the lawyers doing legal work for it must maintain the highest standards of ethics and legal responsibility that have been common among members of the bar. All lawyers are, of course, officers of the court and must comport themselves as such, no matter what they are engaged in doing.

Bill is new

This bill is almost entirely new legislation. It would not, however, change any of the rules or regulations of any Federal agencies. It would, in my opinion, improve the conduct of administrative practices within and before the Federal Government.

CLAIMS ARISING FROM DELIVERIES OF CERTAIN FEED GRAINS

Mr. JOHNSON of Texas. Mr. President, on behalf of myself and my colleague, the distinguished junior Senator from Texas [Mr. BLAKLEY], I introduce for appropriate reference, a bill to authorize the Commodity Credit Corporation to grant certain relief to farmers and feed dealers.

This relief would be granted with respect to claims arising out of deliveries of eligible surplus feed grains on ineligible dates in connection with purchase orders under the emergency feed programs.

Mr. President, the situation is this: Under the emergency feed relief program

as carried on during the last 3 years, it would be announced by the Department of Agriculture that a certain area was entitled to emergency relief. Several weeks might then be required for official notification and official forms to reach the area.

Meanwhile, a farmer or stockman in the area would go to his dealer and say, "I must have feed now. I cannot wait for the certificates. We can make the necessary adjustment when the certificates arrive." The dealer, knowing his customer's desperate situation, would agree.

Unfortunately, the dealer would learn later that, under official regulations, he could not collect for the feed he had advanced. Or, if he did collect, a later audit would show he had advanced the feed and he would be called upon to refund the money he had collected.

It should be noted that representatives of the Department of Agriculture on a number of occasions held meetings with feed dealers after an area had been included in the program and urged them to act without delay to make feed available, with the necessary adjustments to come later.

Feed dealers and farmers work closely together, particularly in small communities. At times dealers have temporarily stored feed for customers. In some cases the feed was still in possession of the dealer when the program expired in his area, and the dealer then was prohibited by regulations from releasing the feed.

Mr. President, this bill would simply permit these inequities to be adjusted in a fair manner without deviating in any way from the intent of the law authorizing the emergency feed program. I may add that this is the same bill that has been introduced in the House of Representatives by two members of the Texas delegation, Representatives POAGE and FISHER.

THE VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 926) to authorize the Commodity Credit Corporation to grant relief with respect to claims arising out of deliveries of eligible surplus feed grains on ineligible dates in connection with purchase orders under its emergency feed program, introduced by Mr. JOHNSON of Texas (for himself and Mr. BLAKLEY), was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

PROPOSED LEGISLATION TO AMEND THE INTERSTATE COMMERCE ACT

Mr. MAGNUSON. Mr. President, at the request of the Interstate Commerce Commission, I am introducing for appropriate reference seven bills which contain proposed amendments to the Interstate Commerce Act. The bills are accompanied by the letters of transmittal signed by the Chairman of the Interstate Commerce Commission. I ask unanimous consent to include the letters in the Record.

THE VICE PRESIDENT. The bills will be received and appropriately referred; and, without objection, the letters will be printed in the Record.

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(For Department Staff Only)

Issued April 11, 1957
For actions of April 10, 1957
85th-1st, No. 63

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HIGHLIGHTS: Senate rejected corn bill. House concurred in Senate amendments to deferred grazing bill. Ready for President. House committee reported bills for sale of extra-long staple cotton from stockpile, and for relief from certain CCC claims on feed grain deliveries in emergency feed program. Sen. Kuchel inserted Secretary's Calif. speech.

HOUSE

1. DROUGHT RELIEF. Concurred in the Senate amendments to H.R. 2367, to establish a deferred grazing program for drought-stricken areas. This bill is now ready for the President. p. 4915
2. COTTON. The Agriculture Committee reported without amendment H.J. Res. 172, providing for the withdrawal and transfer of 50,000 bales of domestically grown extra-long staple cotton from the critical stockpile to CCC for sale (H. Rept. 340). p. 4917
3. FEED GRAINS. The Agriculture Committee reported without amendment H.R. 2486, to authorize the CCC to grant relief with respect to claims arising out of deliveries of eligible surplus feed grains on ineligible dates in connection with purchase orders under its emergency feed program (H. Rept. 341). p. 4917
4. APPROPRIATIONS. Rep. Passman criticized the transfer of requests for foreign-aid funds between agency appropriation bills and "change the name by which the foreign-aid program is identified so as to hoodwink the American people as to what the program costs". p. 4875
The Appropriations Committee was granted permission to file, by midnight Fri., Apr. 12, reports on three appropriation bills. p. 4909

5. FLOOD CONTROL. Passed without amendment H.R. 6092, granting the consent and approval of Congress to the Merrimack River flood-control compact. pp. 4907-09
6. DEFENSE MOBILIZATION. Both Houses received from ODM a report on borrowing authority for the quarter ending Dec. 31, 1956, pursuant to sec. 304b of the Defense Production Act. pp. 4831, 4917
7. FORESTRY. Received a Comptroller General's report on the administration of forest management activities by the Bureau of Indian Affairs, Portland, Oreg., area office as of Nov. 1956. p. 4917
8. LEGISLATIVE PROGRAM. Rep. McCormack announced that H.R. 3476, to control plant pests, H.R. 5538, military land withdrawals bill, and H.R. 2146, to amend the Small Reclamation Projects Act, will be debated today. p. 4876

SENATE

9. CORN. Rejected S. 1771, to provide for a 1957 corn-base acreage of 51 million acres, by a vote of 35 ayes to 45 nays (pp. 4840-67). Sens. Hickenlooper, Thye, Humphrey, Martin, Ellender, Case of S.D., Carroll, Malone, Young, Carlson, Holland, Mundt, Aiken, Dirksen, and Potter debated the bill. Sen. Ellender inserted the Secretary's report on the present status of the corn acreage reserve program, and letters from the Farmers' Union, Farm Bureau, and the National Grange on the corn bill (pp. 4854-5); and inserted tabulations showing soil bank operations (pp. 4856-7). Sen. Potter offered an amendment to exempt producers from penalties for wheat raised and used on the farm for feed or seed, which was modified by Sen. Young limiting the referendum to farmers with allotments over 15 acres or who plant over 15 acres and excluding farmers who are exempt from quotas due to use of their entire crop for feed or seed on the farm; and the amendment was then withdrawn by Sen. Potter (pp. 4863-6). Sen. Humphrey inserted correspondence with Assistant Secretary McLain and a letter from Minn. Gov. Freeman relative to corn legislation. (pp. 4866-7).
10. FOREIGN AID. Sen. Smith, N. J., inserted Secretary of State Dulles' statement before the Special Committee to Study the Foreign Aid Program in which he urged separation of military and economic aid, and establishment of a loan fund without prior allocations by country; with an editorial of the New York Times supporting the proposal. pp. 4838-40
11. PERSONNEL. Began consideration of S. 1832, to authorize the appointment of an additional Assistant Secretary of State, which became its unfinished business. pp. 4831, 4867-8

As reported (see Digest 61) S. 385, to authorize the training of Federal employees at public or private facilities, provides as follows:

That appropriations or other funds available for salaries or expenses shall also be available for authorized training; that tuition, fees, and similar related expenses may be paid to the training institution or to the trainee; that no agency funds shall be available to pay for training at any facility that teaches or advocates the overthrow of the Government of the United States by force or violence; that no training shall be provided under the bill for any employee unless authorized by the head of the agency or his duly designated representative; that regulations pursuant to the bill shall be issued by the President and shall set forth obligations to which employees given training under the bill shall agree; that any trainee failing to fulfill these obligations shall be required to reimburse the Government for the expense of the training to the extent the head of the agency finds equitable; that

EMERGENCY FEED PROGRAM

APRIL 10, 1957.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. COOLEY, from the Committee on Agriculture, submitted the following

R E P O R T

[To accompany H. R. 2486]

The Committee on Agriculture, to whom was referred the bill (H. R. 2486) to authorize Commodity Credit Corporation to grant relief with respect to claims arising out of deliveries of eligible surplus feed grains on ineligible dates in connection with purchase orders under its emergency feed program, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

The purpose of this bill is to permit the Commodity Credit Corporation to dismiss claims against feed dealers and farmers for technical violations of the regulations relating to the 1954, 1955, and 1956 drought feed programs involving early and late deliveries of feed under such programs. In a number of instances feed was delivered to the farmer before the county committee had formally approved his application or after the delivery date on the certificate had expired. None of the cases covered by this bill involve substantive violation of the regulations such as underdelivery, overdelivery, or delivery without a certificate.

Hearings were held on the bill reported herewith (H. R. 2486) and on the following similar bills: H. R. 2433 by Mr. Fisher, H. R. 2449 by Mr. Hill, and H. R. 3606 by Mr. Chenoweth. At the hearing representatives of the Department of Agriculture and of major farm and commodity organizations appeared in favor of the bill. There were no witnesses in opposition to the bill.

DEPARTMENT APPROVAL

Following is the letter from the Department of Agriculture indicating approval of that Department and of the Bureau of the Budget of this legislation.

DEPARTMENT OF AGRICULTURE,
Washington 25, D. C., March 14, 1957.

HON. HAROLD D. COOLEY,
*Chairman, House Committee on Agriculture,
House of Representatives.*

DEAR CONGRESSMAN COOLEY: This is in reply to your request of January 30, 1957, for a report on bill H. R. 2486 to authorize Commodity Credit Corporation to grant relief with respect to claims arising out of deliveries of eligible surplus feed grains on ineligible dates in connection with purchase orders under its emergency feed program.

The Department has no objection to the passage of proposed bill H. R. 2486.

There was an urgent need in the major disaster drought areas for immediate supplies of feed, and the seriousness of the situation did not allow adequate time for dissemination of sufficient information for thorough understanding of the provisions of the program. In many instances deliveries of feed were made in anticipation of approval by Farmers' Home Administration of the farmer's application for assistance. In other instances farmers received approval but did not need immediately all the feed that they were approved to receive. This, coupled with financing difficulties, resulted in both early and late deliveries of the total amount of feed the farmer was entitled to receive. This was particularly true in connection with the 1954 program in all drought-disaster areas and in States that were designated later for assistance for the first time under the 1955 or 1956 emergency feed programs.

Ineligible dates are commonly referred to as early deliveries and late deliveries. More specifically, early deliveries are those deliveries made prior to approval of the applicant by Farmers' Home Administration to receive feed, and late deliveries are those which took place after the expiration of the purchase order or termination of the program. Deliveries on ineligible dates may be said to be only technical violations of the program, inasmuch as the intent and purpose of the program was substantially achieved. The quantity of feed actually delivered for which credit was claimed was no greater than the amount for which the application was approved.

The other principal violations of the emergency feed programs are nondeliveries, underdeliveries, and deliveries of ineligible feed. Collection of claims arising in connection with these types of violations are not affected by the proposed bill and will be aggressively pressed.

Exceptions for early and late deliveries resulting from audits of approximately 15 percent of the dealers through December 31, 1956, could involve payments of approximately \$250,000.

The Bureau of the Budget advises that there is no objection to the submission of this report.

Sincerely yours,

E. T. BENSON, *Secretary.*



Union Calendar No. 106

85TH CONGRESS
1ST SESSION

H. R. 2486

[Report No. 341]

IN THE HOUSE OF REPRESENTATIVES

JANUARY 10, 1957

Mr. POAGE introduced the following bill; which was referred to the Committee on Agriculture

APRIL 10, 1957

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

A BILL

To authorize Commodity Credit Corporation to grant relief with respect to claims arising out of deliveries of eligible surplus feed grains on ineligible dates in connection with purchase orders under its emergency feed program.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That Commodity Credit Corporation, under such regula-
4 tions as may be approved by the Secretary of Agriculture,
5 is hereby authorized to grant relief to farmers and dealers
6 in connection with claims arising out of early and late de-
7 liveries under purchase orders for drought relief feed issued
8 under the 1954, 1955, and 1956 emergency feed programs,
9 by recognizing as valid those purchases and deliveries of

1 designated surplus feed grains and approved mixed feeds,
2 which (a) were actually purchased by the farmer from
3 the dealer on or after the date the Secretary declared the
4 county, where the purchase order was issued, to be eligible
5 for assistance under the emergency feed program, and (b)
6 are found to have been physically delivered to the farmer
7 not later than twelve months from the date the purchase
8 order was issued to the farmer.

85TH CONGRESS
1ST Session

H. R. 2486

[Report No. 341]

A BILL

To authorize Commodity Credit Corporation to grant relief with respect to claims arising out of deliveries of eligible surplus feed grains on ineligible dates in connection with purchase orders under its emergency feed program.

By Mr. POAGE

JANUARY 10, 1957

Referred to the Committee on Agriculture

APRIL 10, 1957

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(For Department Staff Only)

Issued May 7, 1957
For actions of May 6, 1957
85th-1st, No. 74

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HIGHLIGHTS: House passed bills for sale of extra-long staple cotton from stockpile and for relief from certain CCC claims in emergency feed program. Rep. Coad criticized administration of farm program. House committee reported (May 3) third supplemental appropriation bill. House committee ordered reported bills to extend Public Law 480, to provide compulsory inspection of poultry, and to provide self-help meat promotion program.

HOUSE - May 3

THIRD SUPPLEMENTAL APPROPRIATION BILL, 1957. The Appropriations Committee reported without amendment this bill, H.R. 7221, (H. Rept. 386). p. 5710 The bill includes the following items for this Department:

Agricultural Research Service:

Increase of \$66,000 in limitation on construction of buildings for replacement of a building at the Big Spring (Tex.) Field Station.

Penalty mail costs of State Experiment Station Directors, \$250,000.

Federal Extension Service, penalty mail costs of State Extension Service Directors, \$514,000.

Office of the Secretary, increased costs resulting from Federal Pay Act of 1956, \$23,400.

Forest Service, control of forest pests, \$800,000.

(All of the above amounts are the same as the Budget Estimates and would be provided by transfer from other appropriations of the Department.)

Increase in administrative expense limitation for Commodity Credit Corporation, \$2,000,000 (Budget Estimate, \$2,500,000).

Various amounts for claims for damages, audited claims, and judgments.

Excerpts from the committee report:

Emergency range conservation. "The committee has not included budget language which would have permitted the transfer of \$25,000,000 from funds available to the Soil Bank to implement the recommendations on deferred

grazing in the President's recent drought message. New legislation on this subject has just been adopted which will require the submission of a revised estimate at a later date. The Committee feels that this item should be denied at this time. Also, it is to be noted that the situation has now changed in much of the drought area."

Employees' life insurance. "The Committee has not approved a \$76,500 increase in limitation for administrative expenses of this fund. The amount was requested for the Federal Government to assume the assets and liabilities of certain employee beneficial associations. Approval would cost the insurance fund \$22,000,000. The Committee is sympathetic, however, to the insurance needs of members of associations who retired from Federal employment before the Federal insurance program became effective, and would consider a fair and reasonable ^{proposal} by the Civil Service Commission to assume the policies of such members."

Flood insurance. "The committee has denied the \$50,000,000 budget estimate to institute a new and experimental subsidy program of Federal flood insurance, but recommends that the agency use the \$325,000 it now has for further study to develop a more workable plan. The proposal for flood indemnity that has been presented to the Committee is too indefinite and costly.

"The present plan contemplates that 40% of the cost of the premiums and all administrative costs would be borne by the Federal government. The premium cost is almost prohibitive. The Government would underwrite all losses, and estimates of those losses are too indefinite. The program certainly would be very costly to the Government and the policyholders.

"It is clear that the budget estimate for \$50,000,000 is merely the initial step committing the taxpayers to a new program and the Committee does not recommend such a step at this time when every effort is being made to reduce Federal spending."

HOUSE - May 6

2. COTTON. Passed without amendment H. J. Res. 172, to provide for the transfer of 50,000 bales of extra-long staple cotton from the stockpile to CCC for sale at not less than the prices which CCC may sell its own stocks. p. 5666
3. FEED GRAINS. Passed without amendment H.R. 2486, to authorize CCC to grant relief with respect to claims arising out of deliveries of eligible surplus feed grains on ineligible dates in connection with purchase orders under the emergency feed program. p. 5666
4. FARM PROGRAM. Rep. Coad criticized farm policies as being favorable to the "large, efficient commercial farmers," and urged the appointment of former Congressman Clifford Hope as Secretary of Agriculture. pp. 5660-61
5. SURPLUS DISPOSAL; POULTRY; MEATS. The Agriculture Committee ordered reported, on May 3, the following bills: p. D375
H.R. 6974, to extend the Agricultural Trade Development and Assistance Act of 1954 (Public Law 480) for one year, to increase the authorization under Title I from \$3 billion to \$4 billion, and to authorize \$300 million additional under Title II for famine relief.
H.R. 6814, to provide for the compulsory inspection by the Department of Agriculture of poultry and poultry products.
H.R. 5244 (a clean bill to be introduced), to provide for a self-help meat promotion program.

Mr. Speaker, House Joint Resolution 230 that is really before the House now for consideration and which is House Calendar No. 43 is as follows:

Resolved, etc., That service or employment of any person not presently employed by the Federal Government as an attorney, accountant, expert, or professional staff member in assisting the Committee on Ways and Means of the House of Representatives, or any duly authorized subcommittee thereof, in the investigations authorized by House Resolution 104, 85th Congress, shall not be considered as service or employment bringing such person within the provisions of section 281, 283, or 284 of title 18 of the United States Code, or of any other Federal law imposing restrictions, requirements, or penalties in relation to the employment of persons, the performance of services, or the payment or receipt of compensation in connection with any claim, proceeding, or matter involving the United States.

It will be noticed that House Joint Resolution 230 refers to House Resolution 104. That resolution is as follows:

Resolved, That, effective from January 4, 1957, the Committee on Ways and Means, acting as a whole or by subcommittee, is authorized to conduct through studies and investigations of all matters coming within the jurisdiction of such committee.

SEC. 2. For the purpose of this resolution, the committee, or any subcommittee thereof, is authorized to hold such hearings, to sit and acting during the present Congress at such times and places, within the continental United States, its Territories, and possessions, as the committee may determine, whether or not the House has recessed, or has adjourned, to require the attendance of such witnesses and the production of such books, papers, and documents by subpoena or otherwise, to administer such oaths, and to take such testimony, as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or of any subcommittee, or by any member designated by any such chairman, and may be served by any person designated by any such chairman or member.

SEC. 3. The committee may report to the House at any time during the present Congress the results of any studies or investigations made under authority of this resolution, together with such recommendations as it deems appropriate. Any such report which is made when the House is not in session shall be filed with the Clerk of the House.

It will also be noticed that if this resolution, House Joint Resolution 230, is passed, it will allow all the personnel selected by the House Committee on Ways and Means to have the exemptions provided in the resolution. In other words, it will not be confined to one subcommittee that happens to be investigating tariff matters. The resolution will provide exemptions for all employees working for the Committee on Ways and Means or any subcommittee thereof in the investigation authorized by Resolution 104.

The committee's report clearly outlines the objective of the proposed exemption from the conflict-of-interest statutes. It is as follows:

The Committee on the Judiciary, to whom was referred the joint resolution (H. J. Res. 230) to suspend the application of certain Federal laws with respect to personnel employed by the House Committee on Ways and Means in connection with the investigations ordered by House Resolution 104, 85th Congress, having considered the same, report

favorably thereon without amendment and recommend that the joint resolution do pass.

PURPOSE OF THE LEGISLATION

The purpose of this resolution is to suspend the application of certain Federal laws—the so-called conflict-of-interest statutes contained in sections 281, 283, and 284 of title 18 of the United States Code—with respect to personnel to be employed by the House Committee on Ways and Means in connection with the investigations authorized by House Resolution 104, 85th Congress.

GENERAL STATEMENT

House Resolution 104 authorized the Ways and Means Committee of the House of Representatives to conduct studies and investigations of all matters coming within the jurisdiction of that committee. In order to assist the committee in carrying out its legislative responsibility, it has been found necessary to employ experts. Understandably, it has been found increasingly difficult to induce professional men to accept such committee assignments. Under the present law, such assignments preclude persons so employed from appearing for profit before Government agencies and bureaus. Moreover, the ban would continue for 2 years after termination of such employment over matters which an individual may have handled while employed by the Government.

In the past, many resolutions similar to this have been enacted and are, therefore, precedents for the enactment of this resolution.

It should also be pointed out that these restrictions and limitations of the present law affect individuals who merely serve on a temporary basis. Unless exemptions like those embodied in this resolution are granted, the House Committee on Ways and Means will be deprived of the specific talents and ability of outstanding men and women essential to the work of the committee, since such persons will not wish to forfeit their right to practice for profit before a governmental bureau or agency.

Therefore, the Committee on the Judiciary recommends the favorable enactment of this resolution:

The following are the specific sections of title 18 of the United States Code which would be waived by the enactment of this resolution.

EXISTING LAW

"TITLE 18. UNITED STATES CODE

"§ 281. Compensation to Members of Congress, officers and others in matters affecting the Government

"Whoever, being a Member of or Delegate to Congress, or a Resident Commissioner, either before or after he has qualified, or the head of a department, or other officer or employee of the United States or any department or agency thereof, directly or indirectly, receives or agrees to receive, any compensation for any services rendered or to be rendered, either by himself or another, in relation to any proceeding, contract, claim, controversy, charge, accusation, arrest, or other matter in which the United States is a party or directly or indirectly interested, before any department, agency, court martial, officer, or any civil, military, or naval commission, shall be fined not more than \$10,000 or imprisoned not more than 2 years, or both; and shall be incapable of holding any office of honor, trust, or profit under the United States.

"Retired officers of the Armed Forces of the United States, while not on active duty, shall not by reason of their status as such be subject to the provisions of this section. Nothing herein shall be construed to allow any retired officer to represent any person in the sale of anything to the Government through the department in whose service he holds a retired status.

"This section shall not apply to any person because of his membership in the National Guard of the District of Columbia nor to any person especially excepted by act of Congress.

"§ 283. Officers or employees interested in claims against the Government

"Whoever, being an officer or employee of the United States or any department or agency thereof, or of the Senate or House of Representatives, acts as an agent or attorney for prosecuting any claim against the United States, or aids or assists in the prosecution or support of any such claim otherwise than in the proper discharge of his official duties, or receives any gratuity, or any share of or interest in any such claim in consideration of assistance in the prosecution of such claim, shall be fined not more than \$10,000 or imprisoned not more than 1 year, or both.

This section shall not apply to any person because of his membership in the National Guard of the District of Columbia nor to any person specially excepted by enactment of Congress.

"§ 284. Disqualifications of former officers and employees in matters connected with former duties

"Whoever, having been employed in any agency of the United States, including commissioned officers assigned to duty in such agency, within 2 years after the time when such employment or service has ceased, prosecutes or acts as counsel, attorney, or agent for prosecuting, any claims against the United States involving any subject matter directly connected with which such person was so employed or performed duty, shall be fined not more than \$10,000 or imprisoned not more than 1 year, or both."

The first three lines of the language of the report are:

Suspending the application of certain Federal laws with respect to personnel employed by the House Committee on Ways and Means.

So there is no attempt to mislead anyone, and I am certainly not charging any bad faith.

I am shocked to think that the House would consider without any debate, by unanimous consent, adopt such an unusual and far-reaching bill. It should come up under a rule. When the Revenue Act of 1954 passed the House of Representatives, it was under a gag rule. We were told that it was so involved that very few Members knew what the bill contained; many of them on the committee did not know all of its provisions. We were told that it was prepared by the experts.

After this bill became law, it was discovered there were some very large loopholes in it. In fact, the Government is losing tens of millions of dollars, possibly billions of dollars a year by reason of these enormous loopholes that were never discovered, when the bill was being considered in Congress. We know that the bill is largely the work of experts. The shocking thing is that we will have experts who are actually engaged in the practice of law and who can profit the most from loopholes in tax laws to be actually allowed to help write them for the Congress.

Furthermore, we say in the resolution that even if an employee of the committee engages in a conspiracy against the Government and uses his position as an employee to feather his own nest and to allow his client great profit, that

he will not be punished because we are exempting him in advance from any law that would cause him to be punished.

It does not make sense to me. I will have to get more convincing information before agreeing to this proposal.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. PATMAN. Mr. Speaker, I ask unanimous consent that the bill may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

RELINQUISHMENT OF OFFICE OF CHIEF JUDGE

The Clerk called the bill (H. R. 985) to provide that chief judges of circuit and district courts shall cease to serve as such upon reaching the age of 70.

Mr. ROGERS of Colorado. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

RELEASE OF STOCKPILED LONG STAPLE COTTON

The Clerk called the resolution (H. J. Res. 172) relating to the stockpile of extra long staple cotton under the Strategic and Critical Materials Stockpiling Act.

There being no objection, the Clerk read the resolution, as follows:

Resolved, etc., That notwithstanding any other provision of law, 50,000 bales of domestically grown extra long staple cotton in the stockpile (including any cotton which does not meet current stockpile specifications) established pursuant to the Strategic and Critical Materials Stockpiling Act, as amended (50 U. S. C. 98), shall be withdrawn and transferred to the Commodity Credit Corporation for sale at not less than the prices at which the Commodity Credit Corporation may sell its stocks under the minimum pricing provision of section 407 of the Agricultural Act of 1949, as amended. Proceeds from such sale, less costs incurred by Commodity Credit Corporation, including administrative expense, as determined by the Secretary of Agriculture, shall be covered into the Treasury of the United States as miscellaneous receipts.

The resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EMERGENCY FEED PROGRAM

The Clerk called the bill (H. R. 2486) to authorize Commodity Credit Corporation to grant relief with respect to claims arising out of deliveries of eligible surplus feed grains on ineligible dates in connection with purchase orders under its emergency feed program.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That Commodity Credit Corporation, under such regulations as may be approved by the Secretary of Agriculture, is hereby authorized to grant relief to farmers

and dealers in connection with claims arising out of early and late deliveries under purchase orders for drought relief feed issued under the 1954, 1955, and 1956 emergency feed programs, by recognizing as valid those purchases and deliveries of designated surplus feed grains and approved mixed feeds, which (a) were actually purchased by the farmer from the dealer on or after the date the Secretary declared the county, where the purchase order was issued, to be eligible for assistance under the emergency feed program, and (b) are found to have been physically delivered to the farmer not later than 12 months from the date the purchase order was issued to the farmer.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

DESIGNATION OF JIM WOODRUFF DAM AS LAKE SEMINOLE

The Clerk called the bill (H. R. 3077) providing that the lake created by the Jim Woodruff Dam on the Apalachicola River located at the confluence of the Flint and Chattahoochee Rivers be known as Lake Seminole.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the lake created by the Jim Woodruff Dam on the Apalachicola River located at the confluence of the Flint and Chattahoochee Rivers in southwest Georgia shall be known and designated as Lake Seminole in honor of the Seminole Indians whose ancestors, the Hitchiti's and Apalachicola's, inhabited the general area in which this lake is located. Any law, regulation, document, or record of the United States in which such lake is referred to under any other name or designation, shall be held to refer to such lake as Lake Seminole.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

ADJUSTING PENALTIES RELATING TO INJURIOUS NONMAILABLE MATTER

The Clerk called the bill (H. R. 4193) to amend section 1716 of title 18, United States Code, so as to conform to the act of July 14, 1956 (70 Stat. 538-540).

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 1716 of title 18, United States Code, as amended, is further amended by striking out the words "2 years" in the seventh paragraph, and by inserting in lieu thereof, the words "1 year"; by striking out the words "10 years" in the eighth paragraph and by inserting in lieu thereof the words "20 years"; and by adding a new paragraph to read as follows:

"Whoever is convicted of any crime prohibited by this section, which has resulted in the death of any person, shall be subject also to the death penalty or to imprisonment for life, if the jury shall in its discretion so direct, or, in the case of a plea of guilty, or a plea of not guilty where the defendant has waived a trial by jury, if the court in its discretion, shall so order."

(Mr. KEATING asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. KEATING. Mr. Speaker, last year 44 persons were killed on a commercial airliner, which blew up over Colorado after a bomb had been placed aboard. This tragic occurrence led me to introduce a bill to prescribe the death penalty for such willful destruction of aircraft or motor vehicles. That bill became Public Law 709 in the 84th Congress.

In my opinion, it is as serious an offense to send a bomb through the mails as it is to place one aboard an aircraft. H. R. 4193 would, in effect, extend the provisions of Public Law 709 to cases where death or injury resulted from depositing outlawed objects in the mails with intent to kill or injure others.

The need for such legislation has been illustrated by a number of instances over the past 20 years in which innocent persons, including employees of the Post Office Department, have been killed or severely injured by explosives. At the present time the perpetrator of a crime as heinous as this is subject, under Federal law, only to a fine of not more than \$10,000 or to imprisonment for not more than 10 years, or both.

Mr. Speaker, it is time we acted to prevent tragedies, such as have occurred in the past, by increasing the penalty to fit the crime.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

VALIDATING OVERPAYMENTS WHILE AT CIVILIAN HOSPITALS

The Clerk called the bill (H. R. 3366) to validate overpayments of pay and allowances made to certain officers of the Army, Navy, Naval Reserve, and Air Force, while undergoing training at civilian hospitals, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That notwithstanding any other law, all payments of pay and allowances made to any commissioned officer of the Medical Corps of the Army, Navy, or the Naval Reserve, or any medical officer of the Air Force, who, while serving on active duty before July 1, 1954, as an intern or resident physician in a hospital other than a Federal hospital, received compensation from that hospital (including meals and living quarters in kind), are validated to the extent that such pay and allowances were paid.

SEC. 2. Any person covered by section 1 who has made a repayment to the United States of the amount so paid to him as pay or allowances is entitled to be paid the amount involved, if otherwise proper. Any repayment hereby authorized will be made from appropriations currently available for pay and allowances.

SEC. 3. In the audit and settlement of the accounts of any certifying or disbursing officer full credit shall be given for the amount for which liability is relieved by this act.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

85TH CONGRESS
1ST SESSION

H. R. 2486

IN THE SENATE OF THE UNITED STATES

MAY 8, 1957

Read twice and referred to the Committee on Agriculture and Forestry

AN ACT

To authorize Commodity Credit Corporation to grant relief with respect to claims arising out of deliveries of eligible surplus feed grains on ineligible dates in connection with purchase orders under its emergency feed program.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That Commodity Credit Corporation, under such regula-
4 tions as may be approved by the Secretary of Agriculture,
5 is hereby authorized to grant relief to farmers and dealers
6 in connection with claims arising out of early and late de-
7 liveries under purchase orders for drought relief feed issued
8 under the 1954, 1955, and 1956 emergency feed programs,
9 by recognizing as valid those purchases and deliveries of

1 designated surplus feed grains and approved mixed feeds,
2 which (a) were actually purchased by the farmer from
3 the dealer on or after the date the Secretary declared the
4 county, where the purchase order was issued, to be eligible
5 for assistance under the emergency feed program, and (b)
6 are found to have been physically delivered to the farmer
7 not later than twelve months from the date the purchase
8 order was issued to the farmer.

Passed the House of Representatives May 6, 1957.

Attest:

RALPH R. ROBERTS,

Clerk.

AN ACT

To authorize Commodity Credit Corporation to grant relief with respect to claims arising out of deliveries of eligible surplus feed grains on ineligible dates in connection with purchase orders under its emergency feed program.

MAY 8, 1957

Read twice and referred to the Committee on
Agriculture and Forestry

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(For Department Staff Only)

Issued August 20, 1957
For actions of August 19, 1957
85th-1st, No. 150

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HIGHLIGHTS: (See Page 6.)

SENATE

1. SUPPLEMENTAL APPROPRIATION BILL, 1958. Passed with amendments H.R. 9131, the supplemental appropriation bill for 1958. The committee amendments were adopted en bloc (pp. 13795-7). Agreed to an amendment by Sen. Williams (on behalf of himself and Sen. Humphrey) to provide \$3.5 million for poultry inspection to be effective upon enactment of S. 1747, the poultry inspection bill (p. 13832). Agreed to an amendment by Sen. Sparkman to provide \$300,000 for farm housing research to be conducted by the land-grant colleges through grants from the Housing and Home Finance Agency (p. 13832). Agreed to an amendment by Sen. Hayden to ratify obligations from this bill for the period from July 1, 1957 until enactment (p. 13797). Senate conferees were appointed. pp. 13794-7, 13808-29, 13832, 13833-7
2. POULTRY INSPECTION. Agreed to the conference report on S. 1747, the poultry inspection bill. This bill will now be sent to the President. pp. 13829-31
3. ~~COMMITTEES; ACREAGE ALLOTMENTS; FEED GRAINS.~~ The Agriculture and Forestry Committee reported the following bills:
~~Without amendment, H.R. 8508, providing for the election of two county committees in certain counties (S. Rept. 1040);~~

~~With amendments, H.R. 8030, to eliminate the requirement that notice of intention not to plant the full acreage allotted must be filed with the county committee in order for a farmer to receive credit for future acreage allotment purposes (S. Rept. 1039); and~~

~~With amendment, H.R. 2486, to authorize CCC to grant relief with respect to claims arising out of deliveries of eligible surplus feed grains on ineligible dates in connection with purchase orders under the emergency feed program (S. Rept. 1041). p. 13760~~

4. DISASTER RELIEF; COTTON. The Agriculture and Forestry Committee ordered reported without amendment the following bills:

~~S. 304, to provide for a specific contribution by State governments to the cost of feed or seed furnished to farmers in disaster areas; and~~

~~S. 314, to assist the U. S. cotton textile industry in regaining its equitable share of the world market. p. D796~~

5. ACCOUNTING. Concurred in the House amendment to S. 1799, to change various legal provisions so as to facilitate the payment of Government checks. This bill will now be sent to the President. pp. 13794-5

6. ORGANIZATION. Senate conferees were appointed on S. 1791, to extend the Reorganization Act of 1949 to apply to reorganization plans submitted before June 1, 1959. House conferees have not been appointed. p. 13795

7. FARM PROGRAM. Sen. Humphrey inserted a letter from Leon Keyserling stating he had not advocated a reduction in the number of family-type farms and inserting a statement by the Conference on Economic Progress, "Statement in Answer to Misrepresentations About Full Prosperity For Agriculture." pp. 13801-3

8. REA LOANS. Sens. Carroll, Humphrey, Allott, Kefauver, Langer, and Chavez, discussed charges that REA loan authority has been transferred to the Office of the Secretary, and the request of the Government Operations Committee that Secretary Benson testify in response to such charges. Sen. Carroll inserted a news article, "Hamil's Authority Over REA Now Subjected to Review." pp. 13803-7

9. INTEREST RATES. Sen. Humphrey criticized the administration's policy on interest rates and inserted a letter from the Minn. School Board Ass'n urging a study of the high interest rates on school construction bonds and an article, "Ike Probe Asked of School Bond Charges." pp. 13798-9

~~Sens. Humphrey and Kerr discussed the administration's role in raising interest rates on loans, and criticized the Secretary of the Treasury for "flexing" interest rates up, and the Secretary of Agriculture for "flexing prices of agricultural products down." pp. 13799-801~~

10. WATER RESOURCES. Concurred in the House amendments to S. 1556, granting consent to the Little Missouri River compact. This bill will now be sent to the President. p. 13803

11. HOUSING. Agreed to the conference report on H.R. 8240, the military housing construction authorization bill, including a provision for the use of foreign currencies acquired under Public Law 480, for the construction of military family housing units in foreign countries (pp. 13832-3). The House received the conference report but did not act upon it (H. Rept. 1193) (pp. 11873-82).

RELIEF FROM CCC CLAIMS

AUGUST 19, 1957.—Ordered to be printed

Mr. JOHNSTON of South Carolina, from the Committee on Agriculture and Forestry, submitted the following

REPORT

[To accompany H. R. 2486]

The Committee on Agriculture and Forestry, to whom was referred the bill (H. R. 2486) to authorize Commodity Credit Corporation to grant relief with respect to claims arising out of deliveries of eligible surplus feed grains on ineligible dates in connection with purchase orders under its emergency feed program, having considered the same, report thereon with a recommendation that it do pass with an amendment.

This bill would relieve certain feed dealers and farmers from claims made by the Commodity Credit Corporation for technical violations involving early and late deliveries of feed under the drought disaster programs. As explained in the report by the House Committee on Agriculture, which is attached, the cases covered by the bill do not involve substantive violation of the regulations such as underdelivery, overdelivery, or delivery without a certificate.

The committee believes, however, that deliveries made many months after the purchase order was issued and became ineffective would hardly be in the category of a technical violation of the program. Therefore, the committee amendment would require that the feed would have had to have been physically delivered to the farmer not later than 1 month, instead of 12 months, from the expiration date of the purchase order.

The Committee on Agriculture, to whom was referred the bill (H. R. 2486) to authorize Commodity Credit Corporation to grant relief with respect to claims arising out of deliveries of eligible surplus feed grains on ineligible dates in connection with purchase orders under its emergency feed program, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

The purpose of this bill is to permit the Commodity Credit Corporation to dismiss claims against feed dealers and farmers for technical violations of the regulations relating to the 1954, 1955, and 1956 drought feed programs involving early and late deliveries of feed under such programs. In a number of instances feed was delivered to the farmer before the county committee had formally approved his application or after the delivery date on the certificate had expired. None of the cases covered by this bill involve substantive violation of the regulations such as underdelivery, overdelivery, or delivery without a certificate.

Hearings were held on the bill reported herewith (H. R. 2486) and on the following similar bills: H. R. 2433 by Mr. Fisher, H. R. 2449 by Mr. Hill, and H. R. 3606 by Mr. Chenoweth. At the hearing representatives of the Department of Agriculture and of major farm and commodity organizations appeared in favor of the bill. There were no witnesses in opposition to the bill.

DEPARTMENT APPROVAL

Following is the letter from the Department of Agriculture indicating approval of that Department and of the Bureau of the Budget of this legislation.

DEPARTMENT OF AGRICULTURE,
Washington 25, D. C., March 14, 1957.

HON. HAROLD D. COOLEY,
*Chairman, House Committee on Agriculture,
House of Representatives.*

DEAR CONGRESSMAN COOLEY: This is in reply to your request of January 30, 1957, for a report on bill H. R. 2486 to authorize Commodity Credit Corporation to grant relief with respect to claims arising out of deliveries of eligible surplus feed grains on ineligible dates in connection with purchase orders under its emergency feed program.

The Department has no objection to the passage of proposed bill H. R. 2486.

There was an urgent need in the major disaster drought areas for immediate supplies of feed, and the seriousness of the situation did not allow adequate time for dissemination of sufficient information for thorough understanding of the provisions of the program. In many instances deliveries of feed were made in anticipation of approval by Farmers' Home Administration of the farmer's application for assistance. In other instances farmers received approval but did not need immediately all the feed that they were approved to receive. This, coupled with financing difficulties, resulted in both early and late deliveries of the total amount of feed the farmer was entitled to receive. This was particularly true in connection with the 1954 program in all drought-disaster areas and in States that were designated later for assistance for the first time under the 1955 or 1956 emergency feed programs.

Ineligible dates are commonly referred to as early deliveries and late deliveries. More specifically, early deliveries are those deliveries made prior to approval of the applicant by Farmers' Home Administration to receive feed, and late deliveries are those which took place after the expiration of the purchase order or termination of the program. Deliveries on ineligible dates may be said to be only technical

violations of the program, inasmuch as the intent and purpose of the program was substantially achieved. The quantity of feed actually delivered for which credit was claimed was no greater than the amount for which the application was approved.

The other principal violations of the emergency feed programs are nondeliveries, underdeliveries, and deliveries of ineligible feed. Collection of claims arising in connection with these types of violations are not affected by the proposed bill and will be aggressively pressed.

Exceptions for early and late deliveries resulting from audits of approximately 15 percent of the delears through December 31, 1956, could involve payments of approximately \$250,000.

The Bureau of the Budget advises that there is no objection to the submission of this report.

Sincerely yours,

E. T. BENSON, *Secretary.*

○

Calendar No. 1064

85TH CONGRESS
1ST SESSION

H. R. 2486

[Report No. 1041]

IN THE SENATE OF THE UNITED STATES

MAY 8, 1957

Read twice and referred to the Committee on Agriculture and Forestry

AUGUST 19, 1957

Reported by Mr. JOHNSTON of South Carolina, with an amendment

[Omit the part struck through and insert the part printed in italic]

AN ACT

To authorize Commodity Credit Corporation to grant relief with respect to claims arising out of deliveries of eligible surplus feed grains on ineligible dates in connection with purchase orders under its emergency feed program.

- 1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That Commodity Credit Corporation, under such regula-
4 tions as may be approved by the Secretary of Agriculture,
5 is hereby authorized to grant relief to farmers and dealers
6 in connection with claims arising out of early and late de-
7 liveries under purchase orders for drought relief feed issued
8 under the 1954, 1955, and 1956 emergency feed programs,
9 by recognizing as valid those purchases and deliveries of

1 designated surplus feed grains and approved mixed feeds,
 2 which (a) were actually purchased by the farmer from
 3 the dealer on or after the date the Secretary declared the
 4 county, where the purchase order was issued, to be eligible
 5 for assistance under the emergency feed program, and (b)
 6 are found to have been physically delivered to the farmer
 7 not later than ~~twelve months from the date the purchase~~
 8 ~~order was issued to the farmer~~ *one month from the expiration*
 9 *date of the purchase order issued to the farmer.*

Passed the House of Representatives May 6, 1957.

Attest:

RALPH R. ROBERTS,

Clerk.

AN ACT

To authorize Commodity Credit Corporation to grant relief with respect to claims arising out of deliveries of eligible surplus feed grains on ineligible dates in connection with purchase orders under its emergency feed program.

MAY 8, 1957

Read twice and referred to the Committee on
Agriculture and Forestry

AUGUST 19, 1957

Reported with an amendment

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(For Department Staff Only)

Issued August 27, 1957
For actions of August 26, 1957
85th-1st, No. 155

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HIGHLIGHTS: Senate passed bill to prevent certain shifts in acreage allotments history resulting from unplanted acres. Senate passed bill for sale of cotton to U.S. mills at reduced prices.

HOUSE

1. PERSONNEL. The Rules Committee reported a resolution for consideration of H.R. 7915, to require consent of the Attorney General to produce certain Federal records in court in connection with loyalty cases, etc.. pp. 14579
2. CIVIL RIGHTS. The Rules Committee reported a resolution for disposition of the Senate amendments to the civil rights bill, H.R. 6127. p. 14595
3. FOREIGN AID. Rep. Passman spoke in favor of the House approved version of the mutual security appropriation bill. p. 14569
4. WEATHER. Rep. Ashley criticized curtailment of Weather Bureau operations throughout the country, claiming that this is damaging our national economy and stating that farmers and fruitgrowers depend on special agricultural forecasts. p. 14569
5. ELECTRIFICATION. Rep. Trimble praised the work of the rural electric co-ops and deplored increased power costs and interest rates. pp. 14569-70
6. CIVIL DEFENSE. Rep. Huddleston claimed the civil defense program is inadequate. pp. 14571-2

7. PUBLIC LANDS. Rep. Engle requested that the House concur in the Senate amendment to H.R. 5538, to provide that withdrawals, reservations, or restrictions of more than 5,000 acres of public lands of the U.S. require approval by Act of Congress, but Rep. Baring objected to the request. pp. 14572-3

SENATE

8. ACREAGE ALLOTMENTS. Passed with amendments H.R. 8030, to eliminate the requirement that notice of intent not to plant the full acreage allotted must be filed with the county committee in order for a farmer to receive credit for future acreage allotment purposes. pp. 14507-8
9. COTTON. Passed without amendment S. 314, to direct the Department to offer surplus cotton to U.S. mills at reduced prices in order to allow them to compete with foreign textiles on the world market. pp. 14509-10
10. FARM-CITY WEEK. Passed without amendment H.J.Res. 313, designating the week of Nov. 22-28, 1957, as National Farm-City Week. This bill will now be sent to the President. p. 14516
11. DAIRY-PRODUCTS IMPORTS. Passed without amendment H.R. 38, to provide for the temporary free importation of casein. This bill will now be sent to the President. p. 14503
12. FORESTRY. Passed as reported S. 479, to grant a 50-year right-of-way for a water pipeline across the Lincoln National Forest, N.M.. pp. 14510-11
Passed as reported H.R. 6322, to provide for a delay in the date of submission of a plan for the future control of property of the Menominee Tribe. pp. 14520-3
13. FARM LOANS. Senate conferees were appointed on S. 1002, to permit USDA to aid desert-land entrymen to the same extent as homestead entrymen. House conferees have not been appointed. pp. 14498-9
14. RECLAMATION. Both Houses agreed to the conference report on S. 1482, to increase the limitation on the acreage one family might have of irrigated land in the Columbia Basin Project (H. Rept. 1238). This bill will now be sent to the President. pp. 14525, 14572
15. SAFETY. At the request of Sen. Purtell, passed over S. 931, to reorganize the safety functions of the Government. pp. 14502-3
16. COMMITTEES. At the request of Sen. Talmadge, passed over H.R. 8508, to provide for two ASC county committees for certain counties. p. 14508
17. FEED GRAINS. At the request of Sen. Clark, passed over H.R. 2486, to authorize CCC to grant relief on claims arising out of deliveries of eligible surplus feed grains on ineligible dates under purchase orders for the emergency feed program. p. 14508
18. WOOL. At the request of Sen. Talmadge, passed over H.R. 6894, to amend the tariff on mica and allow the duty-free entry of certain wool yarn. p. 14509
19. DISASTER RELIEF. At the request of Sen. Talmadge, passed over S. 304, to require States to contribute from 25 to 50% of the cost of feed or seed furnished to farmers in disaster areas. p. 14509

ported from the Committee on the Judiciary, with amendments, in line 7, after the word "visa", to strike out "fees" and insert "fee", and after line 7, to strike out "Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available"; so as to make the bill read:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Shirley Leeke Kilpatrick shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CONSTRUCTION OF AERONAUTICAL RESEARCH FACILITIES

The Senate proceeded to consider the bill (H. R. 3377) to promote the national defense by authorizing the construction of aeronautical research facilities and the acquisition of land by the National Advisory Committee for Aeronautics necessary to the effective prosecution of aeronautical research which had been reported from the Committee on Armed Services, with amendments, on page 2, line 3, after the word "tunnel", to insert "taxi strip"; in line 4, to strike out "\$8,164,000" and insert "\$8,914,000", and in line 21, to strike out "\$44,700,000" and insert "\$45,450,000."

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

LEASING OF LANDS WITHIN INDIAN RESERVATIONS, ALASKA

The Senate proceeded to consider the bill (H. R. 6562) to clarify the law relating to leasing of lands within Indian reservations in Alaska, and for other purposes, which had been reported from the Committee on Interior and Insular Affairs, with an amendment, to strike out all after the enacting clause and insert:

That the withdrawal and reservation of the north half, section 33, township 28 south, range 56 east, Copper River meridian, near Klukwan, Alaska, by an order of the Secretary of the Interior dated April 27, 1943, for school, health, and other purposes, under the provisions of the act of May 31, 1938 (52 Stat. 593), is hereby revoked.

SEC. 2. The reservation established by Executive Order No. 1764, dated April 21, 1913, and amended as to the boundaries thereof by Executive Order No. 3673, dated May 15, 1922, for the use of the natives of Alaska residing near the village of Klukwan, is hereby enlarged to include the north half of said section 33.

SEC. 3. Said reservation, as so enlarged, may be leased for mining purposes by Chilkat Indian Village organized under the provisions of the act of June 18, 1934 (48 Stat. 984), as amended by the act of May 1, 1936 (49 Stat. 1250), with the approval of the

Secretary of the Interior, in accordance with the provisions of the act of May 11, 1938 (52 Stat. 347), as amended or supplemented.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

The title was amended, so as to read: "A bill relating to the north half of section 33, township 28 south, range 56 east, Copper River meridian, Alaska."

ALBERT A. HEINZE

The Senate proceeded to consider the bill (H. R. 2075) for the relief of Albert A. Heinze, which had been reported from the Committee on the Judiciary, with an amendment on page 1, line 11, after the word "Act", to strike out "in excess of 10 percentum thereof."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

CONVEYANCE OF CERTAIN LANDS IN ALASKA FOR WAR-HOUSING PROJECT

The bill (S. 2042) to authorize the conveyance of a fee simple title to certain lands in the Territory of Alaska underlying war housing project Alaska-50083, and for other purposes was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Housing and Home Finance Administrator is hereby authorized to convey, pursuant to the terms of the act entitled "An act to expedite the provision of housing in connection with national defense, and for other purposes," approved October 14, 1940, as amended, and notwithstanding any limitations or requirements of section 2 of the Act of May 14, 1898 (30 Stat. 409; 48 U. S. C. 411) or of any other law with respect to the use or disposition of lands of the United States in Alaska, a fee simple title to the lands or any part thereof underlying war housing project Alaska-50083 located in Juneau, Alaska, together with such easements in, over, through, or upon the adjacent tidal flats as may be necessary to continue the existing main sewer line to deep water.

CARL E. ROBINSON, ANCHOR POINT, ALASKA

The bill (H. R. 3877) to validate a patent issued to Carl E. Robinson, of Anchor Point, Alaska, for certain land in Alaska, and for other purposes was considered, ordered to a third reading, read the third time, and passed.

GRANT OF CERTAIN LANDS TO TERRITORY OF ALASKA

The Senate proceeded to consider the bill (H. R. 3940) to grant certain lands to the Territory of Alaska which had been reported from the Committee on Interior and Insular Affairs with an amendment on page 2, line 9, after the

word "supra", to insert a colon and "And provided further, That the Territory of Alaska may not sell or convey any part or all of said property to any person or organization other than a political subdivision of said Territory for less than fair market value."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

ADJUSTMENT OF ACREAGE LISTING

The Senate proceeded to consider the bill (H. R. 8030) to amend the Agricultural Adjustment Act of 1938, with respect to acreage listing which had been reported from the Committee on Agriculture and Forestry, with amendments, on page 1, line 6, after the word "period", to strike out "1957" and insert "1956"; in line 7, after the word "farm", to strike out "(including the acreage regarded as planted to the commodity under the provisions of this title for releasing unused farm allotments and by reason of participation in the soil bank programs)"; on page 2, line 5, after the word "farm", to insert a comma and "but the 1956 acreage allotment of any commodity shall be regarded as planted under this section only if the owner or operator of such farm notified the county committee prior to the 60th day preceding the beginning of the marketing year for such commodity of his desire to preserve such allotment", and in line 15, after the word "of", to strike out "wheat or rice" and insert "the commodity."

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

Mr. STENNIS subsequently said: Mr. President, this afternoon, Calendar No. 1061, House bill 8030, was passed by the Senate. I ask unanimous consent to have printed in the Record immediately following the passage of that bill a short statement by myself.

There being no objection, the statement was ordered to be printed in the Record, as follows:

STATEMENT BY SENATOR STENNIS

Passage of H. R. 8030 is most important. It is similar to my bill, S. 2777, designed to prevent shifts in cotton acreage history resulting from unplanted acres. H. R. 8030 differs from my bill in that it includes all allotted crops and is temporary in nature, covering only the 1956-59 crop years. The provisions of my bill apply only to cotton and would be permanent instead of temporary. I am glad that the Senate Committee on Agriculture and Forestry has included other crops and hope that consideration will be given later to making this permanent legislation.

The decline in cotton acreage history has been a serious problem throughout the Cotton Belt, and I believe that this bill will assist greatly in bringing about desirable stability. When allotted acreage is unplanted and complicated legal precautions are not taken to preserve the acreage credit, allowable acreage not only on the farm but within the county is diminished in future years. Because of the complicated provisions

slons of existing law—designed to protect the individual farmer—many inequitable shifts at the farm and county level are being experienced. As I pointed out earlier, some counties in my State in 1957 suffered a loss of as much as 6.5 percent of their 1956 cotton acreage allotments, even though our State allotment was reduced by only 1 percent. Since it is almost impossible to regain acreage once it is lost, many farmers seek to plant their full allotments rather than to underplant and apply for credit under present law. This has resulted in building up surpluses which have given us so much trouble.

Administration of the statutory provisions for protection of acreage history is a burden on the county committee and other agricultural workers and is also a burden to the individual farmer who must at his own expense and on his own time go to the county office and execute the required documents prior to planting time to preserve his history. In addition to the saving to the farmers in time and travel, I understand from the Department of Agriculture that this proposed legislation in the case of cotton alone would save the Government at least \$1 million annually in administrative expenses.

I believe the primary purpose of the five exemptions provided in present law can be more easily accomplished both for the farmer and for the Government through the passage of H. R. 8030, to authorize acreage allotment history to be computed automatically regardless of whether or not the farm allotment had been fully planted. The latest 5-year average acreage as a base for acreage history would be retained, but the undesirable shifts resulting from underplanting would be removed as an obstacle to effective operation of the program at the farm and county level.

This bill is a move in the right direction and I hope that it will receive the full approval of the Senate.

BILLS PASSED OVER

The bill (H. R. 8508) to provide that there shall be two county committees elected under the Soil Conservation and Domestic Allotment Act for certain counties was announced as next in order.

Mr. TALMADGE. Over, Mr. President, by request.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 2486) to authorize Commodity Credit Corporation to grant relief with respect to claims arising out of deliveries of eligible surplus feed grains on ineligible dates in connection with purchase orders under its emergency feed program was announced as next in order.

Mr. CLARK. Over, by request, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

TITLE TO CERTAIN LANDS BENEATH TIDEWATERS, ALASKA

The Senate proceeded to consider the bill (H. R. 6760) to grant the Territory of Alaska title to certain lands beneath tidal waters, and for other purposes, which had been reported from the Committee on Interior and Insular Affairs, with amendments, on page 2, line 1, after the word "Army", to strike out "as the outer limit to which manmade facilities may be permitted to extend into Federal waters" and insert "Provided, That the pierhead line shall be a line parallel to

the existing line of mean low tide at such distance offshore from the line of mean low tide that said pierhead line shall encompass, to the landward, all stationary, manmade structures (but shall not encompass any part of breakwaters, bridges, or piers used for vessel dockage which part extends beyond such a parallel line marking the seaward extremity of other manmade structures) which were in existence as of February 1, 1957, to the seaward of the particular townsite for which the pierhead line is being established, and shall encompass no more: *And provided further,*"; after line 22, to insert "For the purposes of this act, the term 'line of mean high tide' shall mean the meander line as heretofore established by Government survey, or, in the event that such a survey has not been made, the present line of mean high tide"; on page 3, after line 8, to insert "in the same manner and subject to the same conditions as set forth in this act for lands lying offshore of townsites which are now surveyed"; on page 4, line 6, after the word "tract", to insert a colon and "Provided, That all oil, gas, or other minerals shall be reserved to the Territory in the event that any part or all of said granted lands are sold or disposed of to a political subdivision or to any other person or organization, such minerals to be subject to exploitation under mineral lease from the Territory only"; on page 5, line 3, after "Sec. 3.", to insert "Any lands which are (1) within the purview of section 2 (a) of this act, and (2) situated to the seaward of the coastline as that term is defined in section 2 (c) of the Submerged Lands Act of 1953 (67 Stat. 29), shall be subject to the said Submerged Lands Act and, as to such lands, the Territory shall have equal title, right, and interest as is accorded to States which are subject to that act in relation to their similar lands; all other lands which come within the purview of section 2 (a) of this act shall be subject to the provisions of this act"; in line 13, after the word "of", to insert "the first sentence of this section and the operation of"; on page 8, line 7, after the word "is", to insert "now or in the future", and in line 14, after the word "lines", to strike out the comma and "beyond which no manmade facilities may be permitted to extend into Federal waters."

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

PACIFIC CUSTOMS BROKERAGE CO. OF DETROIT, MICH.

The bill (H. R. 1591) for the relief of the Pacific Customs Brokerage Co., Detroit, Mich. was considered, ordered to a third reading, read the third time, and passed.

USE OF CERTIFIED MAIL IN SUMMONING JURORS

The bill (H. R. 3367) to amend sec. 1867 of title 28 of the United States Code to authorize the use of certified mail in

summoning jurors was considered, ordered to a third reading, read the third time, and passed.

ADJUSTING PENALTIES RELATING TO INJURIOUS NONMAILABLE MATTER

The bill (H. R. 4193) to amend sec. 1716 of title 18, United States Code, so as to conform to the act of July 14, 1956 (70 Stat. 538-540), was considered, ordered to a third reading, read the third time, and passed.

CONVEYANCE OF CERTAIN TRACT OF LAND TO THE STATE OF FLORIDA

The Senate proceeded to consider the bill (S. 2107) to provide for the conveyance to the State of Florida of a certain tract of land in such State owned by the United States, which had been reported from the Committee on the Judiciary with amendments, on page 1, line 7, after the word "to", to strike out "that part of" and insert "a tract of land about 300 feet square located in"; in line 10, after the name "Florida", to strike out "and more particularly describe as follows:" and insert "approximately 2,150 feet east from the southwest corner of said section 34, containing 2 acres, more or less"; on page 2, after line 2, to strike out:

Commence at the southwest corner of said section 34 and run north 0 degree 14 minutes 30 seconds east 172.70 feet; thence north 89 degrees 07 minutes 30 seconds east 183.25 feet; thence 5 degrees 05 minutes 30 seconds east 162.50 feet; thence north 89 degrees 42 minutes 30 seconds east 1,999.20 feet to a point 14 feet north of the south line of said section 34, the point of beginning; then run north 0 degree 11 minutes 30 seconds west 286.0 feet; thence south 89 degrees 42 minutes 30 seconds west 300 feet; thence south 0 degree 11 minutes 30 seconds east 300.0 feet to the south line of section 34; thence north 89 degrees 42 minutes 30 second east 300 feet; thence north 0 degree 11 minutes 30 seconds west 14.0 feet to point of beginning; containing 2.07 acres, more or less.

And, on page 3, line 13, after the word "States", to insert a comma and "which shall have the immediate right of entry thereon"; so as to make the bill read:

Be it enacted, etc. That (a) the Attorney General is authorized and directed to convey by quitclaim deed to the State of Florida, for use as a site for a State road department shortwave radio tower, all right, title, and interest of the United States, except as provided in this act, in and to a tract of land about 300 feet square located in the southeast quarter of the southwest quarter of section 34, township 1 north, range 1 east, situated in Leon County, Fla., approximately 2,150 feet east from the southwest corner of said section 34 containing 2 acres, more or less.

(b) The Attorney General shall provide such easements over adjoining lands of the Federal Government as may be necessary to provide access to the land authorized to be conveyed by subsection (a).

SEC. 2. The conveyance authorized by this act shall be subject to the condition that the State of Florida pay to the Attorney General as consideration for the land conveyed the fair market value of such land as determined by the Attorney General after independent appraisal of such land, such fair

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(For Department Staff Only)

Issued September 3, 1957
For actions of August 30, 1957
85th-1st, No. 159

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HIGHLIGHTS: House agreed to conference report on mutual security appropriation bill. Both Houses agreed to conference report on bill to extend Reorganization Act. Senate passed bills to require State contributions to Federal disaster relief and to adjust dates for claims in emergency feed program. Sen. Neuberger objected to Budget Bureau expenditure reductions.

HOUSE

1. **MUTUAL SECURITY APPROPRIATION BILL, 1958.** By a vote of 194-122, agreed to the conference report on this bill, H. R. 9302. This bill will now be sent to the President. pp. 15253-62
2. **FARM PROGRAM.** Rep. Christopher and others debated the farm program. pp. 15274-6
3. **PERSONNEL.** By a vote of 315 to 0, agreed to the conference report on S. 2377, to provide for production of statements and reports of witnesses in loyalty cases, etc. This bill will now be sent to the President. pp. 15248-53
4. **INTERGOVERNMENTAL RELATIONS.** Rep. Reuss inserted an appraisal of Federal-State-local relationships, by the American Municipal Association. pp. 15266-8
5. **APPROPRIATIONS.** Rep. Budge inserted a table showing Congressional action on appropriations for the 85th Congress, 1st Session. p. 15287
6. **ADJOURNED sine die.** p. 15290

SENATE

7. **DISASTER RELIEF.** Passed without amendment S. 304, to require State contributions in connection with Federal disaster relief programs. pp. 15186, 15216-17
8. **BUDGET.** Sen. Neuberger objected to Budget Bureau procedures intended to result in reducing expenditures below the appropriation level, and inserted letters from the Budget Bureau and others on the matter. pp. 15099-101
Sen. Byrd urged further reductions in expenditures. pp. 15204-5

9. BUILDINGS. Passed as reported S. 2533, to authorize GSA to lease space for Federal agencies for periods not exceeding 15 years. p. 15193
10. IMPORTS. Passed with amendments H. R. 7096, to amend the Tariff Act so as to permit duty-free importation of istle or Tampico fiber. Agreed to an amendment by Sen. Beall to permit duty-free importation of certain wool yarn. The House later concurred in the Senate amendments. This bill will now be sent to the President. pp. 15183-4, 15278
11. STATEHOOD. Received minority reports on S. 499 providing Alaska statehood, and S. 50, providing Hawaii statehood (S. Repts. 1163 and 1164, pt. 2). p. 15080
12. COTTON. Sen. Saltonstall said New England cotton textile mills are at a disadvantage, as compared with their competitors, because they must buy cotton at price-support levels. p. 15097
13. WATER RESOURCES. Sen. Johnson commended congressional actions for development of the Nation's water resources. p. 15112
Johnson
14. LEGISLATIVE ACCOMPLISHMENTS. Sens./and Knowland summarized this year's congressional accomplishments. pp. 15112-51, 15246
15. TOBACCO. Sen. Cooper defended the tobacco price-support program. pp. 15160-5
16. COMMITTEE ASSIGNMENTS. Sen. Proxmire was assigned to the Small Business Committee, Banking and Currency Committee, and Post Office and Civil Service Committee. Sen. Monroney was excused from the Small Business Committee, Sen. Lausche from Banking and Currency, and Sen. Clark from Post Office and Civil Service. p. 15194
17. FORESTRY. Sen. Humphrey inserted and commended a recommendation by Rep. Blatnik for reforestation along the Federal highways. pp. 15209-10
Passed without amendment H. R. 7900, to permit USDA to sell land in Ottawa County, Mich., which was acquired pursuant to Title I of the Bankhead-Jones Farm Tenant Act. This bill will now be sent to the President. p. 15193
Passed without amendment H. R. 580, to authorize exchange with Missouri of certain land in the Clark and Mark Twain National Forests. This bill will now be sent to the President. p. 15197
18. REORGANIZATION. Both Houses agreed to the conference report on S. 1791, to extend the Reorganization Act of 1949 for two additional years, so as to apply to Presidential reorganization plans submitted before June 1, 1959. The final language of the bill also provides that a majority of those voting in either House (instead of a majority of the constituency of either House) may nullify a reorganization plan. This bill will now be sent to the President. pp. 15205, 15248
19. PERSONNEL. Sen. Humphrey recommended that the President sign the pay raise bills and inserted a Library of Congress analysis of pay raises for major officials in the last few years. pp. 15213-16
20. CCC CLAIMS. Passed with amendment H. R. 2486, to authorize CCC to grant relief with respect to claims arising out of certain deliveries of eligible surplus feed grains on ineligible dates in connection with purchase orders under its emergency feed program. The House later concurred in the amendment. This bill will now be sent to the President. pp. 15216, 15277, 15285-6

Civil Aeronautics Administrator¹ (in Department of Commerce): \$15,000, act of October 15, 1949 (63 Stat. 881, sec. 5 (a)), increased to \$20,000, act of July 31, 1956 (70 Stat. 737, sec. 102 (a) (2)).

Civil Aeronautics Board: \$15,000, Chairman; \$15,000, members,¹ act of October 15, 1949 (63 Stat. 881, sec. 5 (a)), increased to \$20,500, Chairman,¹ \$20,000, members,¹ act of July 31, 1956 (70 Stat. 737, sec. 105 (1), 738, sec. 106 (45)).

Civil Service Commission: \$16,000, Chairman; \$15,000, members, act of October 15, 1949 (63 Stat. 880, sec. 4, 881, sec. 5 (a)), increased to \$20,500, Chairman,¹ \$20,000, members,¹ act of July 31, 1956 (70 Stat. 737, sec. 105 (2), 738, sec. 106 (a) (45)).

Department of Commerce: General Counsel,¹ \$15,000, act of October 15, 1949 (63 Stat. 881, sec. 5 (a)), increased to \$19,000, act of July 31, 1956 (70 Stat. 739, sec. 106 (a) (9)).

Comptroller General of the United States¹ (in G. A. O.): \$17,500, Comptroller, \$15,000, Assistant Comptroller, act of October 15, 1949 (63 Stat. 880, secs. 3, 4), increased to \$22,500, Comptroller, \$20,500, Assistant Comptroller, act of July 31, 1956 (70 Stat. 736, sec. 103 (a) (2), 737, sec. 105 (22)).

Comptroller of the Currency¹ (Treasury Department): \$16,000, act of October 15, 1949 (63 Stat. 880, sec. 4), increased to \$20,500, act of July 31, 1956 (70 Stat. 737, sec. 105 (4)).

Export-Import Bank of Washington: Board of Directors¹ (3 appointive members): \$15,000, act of October 15, 1949 (63 Stat. 881, sec. 5 (a)), increased to \$20,000, act of July 31, 1956 (70 Stat. 738, sec. 106 (a) (45)).

Federal Civil Defense: \$17,500, Administrator,¹ \$16,000, Deputy Administrator,¹ act of January 12, 1951 (64 Stat. 1247, sec. 101), increased to \$21,000, Administrator, \$20,500, Deputy Administrator,¹ act of July 31, 1956 (70 Stat. 736, sec. 104 (a) (4), 737, sec. 105 (23)).

Federal Communications Commission: \$15,000, Chairman,¹ \$15,000, members,¹ act of October 15, 1949 (63 Stat. 880, sec. 5 (a)), increased to \$20,500, Chairman,¹ \$20,000, members,¹ act of July 31, 1956 (70 Stat. 737, sec. 105 (4), 738, sec. 106 (a) (45)).

Federal Deposit Insurance Corporation: Board of Directors, \$16,000, Chairman,¹ \$16,000, members,¹ act of October 15, 1949 (63 Stat. 880, sec. 4), increased to \$20,500, Chairman,¹ \$20,000, members,¹ act of July 31, 1956 (70 Stat. 737, sec. 105 (5), 738, sec. 106 (a) (45)).

Federal Home Loan Bank Board: \$15,000, Chairman,¹ \$15,000, members,¹ act of August 10, 1948 (62 Stat. 1283, sec. 501 (a)), increased to \$20,500, Chairman,¹ \$20,000, members,¹ act of July 31, 1956 (70 Stat. 737, sec. 105 (11), 738, sec. 106 (a) (45)).

Federal Mediation and Conciliation Service: Director,¹ \$16,000, act of October 15, 1949 (63 Stat. 880, sec. 4), increased to \$20,500, act of July 31, 1956 (70 Stat. 737, sec. 105 (30)).

Federal Power Commission: \$15,000, Chairman,¹ \$15,000, members,¹ act of October 15, 1949 (63 Stat. 880, sec. 5 (a)), increased to \$20,500, Chairman,¹ \$20,000, members,¹ act of July 31, 1956 (70 Stat. 737, sec. 105 (7), 738, sec. 106 (a) (45)).

Federal Reserve System, Board of Governors: \$16,000, Chairman,¹ \$16,000, members,¹ act of October 15, 1949 (63 Stat. 880, sec. 4), increased to \$20,500, Chairman,¹ \$20,000, members,¹ act of July 31, 1956 (70 Stat. 737, sec. 105 (8), 738, sec. 106 (a) (45)).

Federal Trade Commission: \$15,000, Chairman,¹ \$15,000, members,¹ act of October 15, 1949 (63 Stat. 880, sec. 5 (a)), increased to \$20,500, Chairman,¹ \$20,000, members,¹ act of July 31, 1956 (70 Stat. 737, sec. 105 (1), 738, sec. 106 (a) (45)).

of July 31, 1956 (70 Stat. 737, sec. 105 (9), 738, sec. 106 (a) (45)).

General Services Administrator:¹ \$17,500, act of October 15, 1949 (63 Stat. 880, sec. 3), increased to \$21,000, act of July 31, 1956 (70 Stat. 736, sec. 104 (a) (5)).

Housing: Administrator of Housing and Home Finance Agency,¹ \$17,500, act of October 15, 1949 (63 Stat. 880, sec. 3), increased to \$21,000, act of July 31, 1956 (70 Stat. 736, sec. 104 (a) (6)).

Housing: Commissioner, Federal Housing Administration,¹ \$15,000, act of August 10, 1948 (62 Stat. 1283, sec. 501 (a)), increased to \$20,000, act of July 31, 1956 (70 Stat. 738, sec. 106 (a) (25)).

Housing: Commissioner, Public Housing Administration,¹ \$15,000, act of August 10, 1948 (62 Stat. 1283, sec. 501 (a)), increased to \$20,000, act of July 31, 1956 (70 Stat. 738, sec. 106 (a) (26)).

Interstate Commerce Commission: \$15,000, Chairman,¹ \$15,000, Members,¹ act of October 15, 1949 (63 Stat. 880, sec. 5 (a)), increased to \$20,500, Chairman,¹ \$20,000, Members,¹ act of July 31, 1956 (70 Stat. 737, sec. 105 (12), 738, sec. 106 (a) (45)).

Department of Labor: Administrator of the Wage and Hour and Public Contracts Division,¹ \$15,000, act of October 26, 1949 (63 Stat. 911, sec. 4), increased to \$20,000, act of July 31, 1956 (70 Stat. 737, sec. 106 (a) (7)).

Librarian of Congress:¹ \$15,000, act of October 15, 1949 (63 Stat. 881, sec. 5 (a)), increased to \$20,000, act of July 31, 1956 (70 Stat. 738, sec. 106 (a) (38)).

Department of Justice: Assistant Attorneys General,¹ \$15,000, act of October 15, 1949 (63 Stat. 881, sec. 5 (a)), increased to \$20,000, act of March 2, 1955 (69 Stat. 10, sec. 3 (c)).

Department of Justice: Deputy Attorney General¹ (formerly Assistant to the Attorney General), \$17,500, act of October 15, 1949 (63 Stat. 880, sec. 3), increased to \$21,000, act of March 2, 1955 (69 Stat. 10, sec. 3 (a)).

Department of Justice: Solicitor General,¹ \$17,500, act of October 15, 1949 (63 Stat. 880, sec. 3), increased to \$20,500, act of March 2, 1955 (69 Stat. 10, sec. 3 (b)).

National Labor Relations Board: \$15,000, Chairman,¹ \$15,000, members,¹ act of October 15, 1949 (63 Stat. 880, sec. 5 (a)), increased to \$20,500, Chairman,¹ \$20,000, Members,¹ act of July 31, 1956 (70 Stat. 737, sec. 105 (13), 738, sec. 106 (a) (45)).

National Labor Relations Board: General Counsel,¹ \$15,000, act of October 15, 1949 (63 Stat. 881, sec. 5 (a)), increased to \$20,500, act of July 31, 1956 (70 Stat. 738, sec. 106 (a) (37)).

National Mediation Board (Railroads): \$15,000, Chairman,¹ \$15,000, members,¹ act of October 15, 1949 (63 Stat. 881, sec. 5 (a)), increased to \$20,500, Chairman,¹ \$20,000, Members,¹ act of July 31, 1956 (70 Stat. 737, sec. 105 (a) (14), 738, sec. 106 (a) (45)).

National Science Foundation: Director,¹ \$15,000, act of May 10, 1950 (64 Stat. 151, sec. 5), increased to \$20,000, act of July 31, 1956 (70 Stat. 738, sec. 106 (a) (34)).

Post Office Department: Assistant Postmasters General (four),¹ \$15,000, Reorganization Plan No. 3 of 1949² (63 Stat. 1066, sec. 3), increased to \$20,000, act of July 31, 1956 (70 Stat. 737, sec. 106 (a) (10)).

Public Printer:¹ \$15,000, act of October 15, 1949 (63 Stat. 881, sec. 5 (a)), increased to \$20,000, act of July 31, 1956 (70 Stat. 738, sec. 106 (a) (40)).

Railroad Retirement Board: \$15,000, Chairman,¹ \$15,000, members,¹ act of October 15, 1949 (63 Stat. 881, sec. 5 (a)), increased to \$20,500, Chairman,¹ \$20,000, members,¹ act of July 31, 1956 (70 Stat. 737, sec. 105 (1), 738, sec. 106 (a) (45)).

of July 31, 1956 (70 Stat. 737, sec. 105 (15), 738, sec. 106 (a) (45)).

Renegotiation Board: \$17,500, Chairman,¹ \$15,000, members,¹ act of March 23, 1951 (65 Stat. 19, sec. 107), increased to \$20,500, Chairman,¹ \$20,000, members,¹ act of July 31, 1956 (70 Stat. 737, sec. 105 (16), 738, sec. 106 (a) (45)).

Rural Electrification Administrator. See Department of Agriculture.

Securities and Exchange Commission: \$15,000, Chairman,¹ \$15,000, members,¹ act of October 15, 1949 (63 Stat. 881, sec. 5 (a)), increased to \$20,500, Chairman,¹ \$20,000, members,¹ act of July 31, 1956 (70 Stat. 737, sec. 105 (17), 738, sec. 106 (a) (45)).

Selective Service Director:¹ \$14,000, act of October 15, 1949 (63 Stat. 881, sec. 6 (a)), increased to \$20,000, act of July 31, 1956 (70 Stat. 738, sec. 106 (a) (35)).

Solicitor General. See Department of Justice.

State Department: Assistant Secretaries (10),¹ \$15,000, act of October 15, 1949 (63 Stat. 881, sec. 5 (a)), increased to \$20,000, act of July 31, 1956 (70 Stat. 738, sec. 106 (a) (17)).

State Department: Counselor,¹ \$15,000, act of August 5, 1955 (69 Stat. 536), increased to \$20,000, act of July 31, 1956 (70 Stat. 738, sec. 106 (a) (28)).

State Department: Legal adviser,¹ \$15,000, act of August 5, 1955 (69 Stat. 536), increased to \$20,000, act of July 31, 1956 (70 Stat. 738, sec. 106 (a) (17)).

Subversive Activities Control Board: \$15,000, Chairman,¹ \$15,000, members,¹ act of July 12, 1952 (66 Stat. 590), increased to \$20,500, Chairman,¹ \$20,000, members,¹ act of July 31, 1956 (70 Stat. 737, sec. 105 (18), 739, sec. 106 (a) (45)).

Tariff Commission: \$15,000, Chairman,¹ \$15,000, members,¹ act of October 15, 1949 (63 Stat. 880, sec. 5 (a)), increased to \$20,500, Chairman,¹ \$20,000, members,¹ act of July 31, 1956 (70 Stat. 737, sec. 105 (20), 739, sec. 106 (a) (45)).

Tax Court of the United States¹ (formerly Board of Tax Appeals): \$15,000, act of August 16, 1954 (68A Stat. 879, sec. 7443), increased to \$22,500, act of March 2, 1955 (69 Stat. 10, sec. 1 (h)).

Tennessee Valley Valley Authority: Board of Directors,¹ \$15,000, Chairman, \$15,000, members, act of October 15, 1949 (63 Stat. 881, sec. 5 (a)), increased to \$20,500, Chairman,¹ \$20,000, members, act of July 31, 1956 (70 Stat. 737, sec. 105 (19), 739, sec. 106 (a) (45)).

Administrator of Veterans' Affairs:¹ \$17,500, act of October 15, 1949 (63 Stat. 880, sec. 3), increased to \$21,000, act of July 31, 1956 (70 Stat. 736, sec. 104 (a) (17)). [Provision now included in act of June 17, 1957 (71 Stat. 91, sec. 210 (a))].

Mr. HUMPHREY. Mr. President, I should like to have the President of the United States be as generous with the civil-service workers of our Government as he has been with the top Cabinet and executive officers of the Government. Despite all the boasts of the administration as to its business-like attitude toward the Government, and the great savings it has made for the American people—and I put the words "great savings" in quotation marks—it will be noted that the Library of Congress in a very factual and objective study has brought to our attention that there are literally dozens of assistant secretaries and administrators and bureau chiefs

¹ Appointments made by and with the advice and consent of the Senate.

² Reorganization plans are prepared by the President and transmitted to Congress.

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and deputy secretaries and deputy assistant secretaries, and what have you, who have been added to the Federal payroll. In fact, I have in my hand several pages of the report of the number of new executive officials who have been added to the executive branch of the Government.

One of the great accomplishments of the Eisenhower administration has been the increase of the public payroll, particularly in the higher levels of appointment. I hope the President, in reviewing the statement—or a member of his White House staff, perhaps—will exercise the same generosity with respect to the civil servants that has been exercised for the palace guard.

CLAIMS FOR SURPLUS FEED GRAINS AGAINST COMMODITY CREDIT CORPORATION

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar 1064, H. R. 2486.

The PRESIDING OFFICER (Mr. HOLLAND in the chair). The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H. R. 2486) to authorize Commodity Credit Corporation to grant relief with respect to claims arising out of deliveries of eligible surplus feed grains on ineligible dates in connection with purchase orders under its emergency feed program.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the bill which had been reported from the Committee on Agriculture and Forestry with an amendment on page 2, line 7, after the word "than", to strike out "12 months from the date the purchase order was issued to the farmer" and insert "1 month from the expiration date of the purchase order issued to the farmer."

Mr. JOHNSON of Texas. Mr. President, the bill now before the Senate, H. R. 2486, is similar to a bill I introduced in the Senate earlier this year. This legislation is designed to bring relief to ranchers and feed dealers who in carrying out the emergency drought feed program in 1954, 1955, and 1956, found it necessary for deliveries of feed to be made outside of the then legal delivery periods.

In order to prevent hardship on the very people who the emergency drought feed law was intended to benefit, it is necessary that the actual delivery dates, made without any intention of violating the law, be legalized. The House passed the bill extending the time period for 12 months. The Senate Agriculture Committee reported the bill with an amendment restricting the additional period to 1 month from the expiration date of purchase orders.

The Department of Agriculture and the people concerned in the several States have furnished concrete evidence that a 1-month extension period will not take care of all of the cases of delivery outside the proper time periods. I have discussed this matter with the senior

Senator from Delaware [Mr. WILLIAMS] and he has indicated a willingness to amend the bill to extend the period to 6 months.

Even this extension may not cover all of the cases. In extending the delivery period for 6 months, it is not our intention to foreclose further legislative action by the Congress.

The very able Senator from Delaware has assured me that if this does not cover the cases, he is willing to sit down and go over the matter in an attempt to evolve a fair and equitable solution. Those of us who know the Senator from Delaware fully understand that that would be done.

The late deliveries involved in this program resulted from a lack of storage facilities on the part of the farmers. The feed dealers accommodated the farmers by keeping their feed until such time as they were able to use it. In some cases, this period of time extended on into many months.

I believe it would be wise for Congress to act now in extending the delivery time period for 6 months, while at the same time making it clear that we do not wish the Department of Agriculture to demand refunds in the delivery cases not covered by this legislation.

I urge the Senate to accept the amendment that I now offer and approve the bill so that the House can act upon it at the earliest possible moment.

I send the amendment to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 2, line 8, it is proposed to strike out "1 month" and insert in lieu thereof "6 months."

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Texas to the committee amendment.

The amendment to the amendment was agreed to.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment as amended.

The amendment as amended was agreed to.

Mr. ALLOTT. I did not object to the amendment. However, I wish to make a short statement with respect to it. The bill before us is the same bill which was introduced by me and referred to the Committee on Agriculture and Forestry. I wish to repeat and emphasize what the majority leader has said. It is a very critical situation with which we are confronted. The period of 6 months is a necessity if we are going to get any action. Only 15 percent of these accounts have been audited, and they must have the same action if the people involved are to get any relief.

The PRESIDING OFFICER. The question is on the engrossment of the amendment and third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. JOHNSON of Texas. Mr. President, I move that the Senate reconsider the vote by which the bill was passed.

Mr. KUCHEL. Mr. President, I move to lay that motion on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion of the junior Senator from California.

The motion to lay on the table was agreed to.

CONTRIBUTIONS BY STATE GOVERNMENTS TO COST OF FEED OR SEED FURNISHED FARMERS, ETC.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar 1077, S. 304.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 304) to provide for a specific contribution by State governments to the cost of feed or seed furnished to farmers, ranchers, or stockmen in disaster areas, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. WILLIAMS. Mr. President, the bill would condition Federal feed and seed disaster relief in any State upon contribution by the State of between 25 and 50 percent of that part of the cost of the feed and seed not paid for by the recipients. Such State participation should result in more economical operation, better use of funds, and more equitable distribution of assistance. The bill would carry out the President's recommendations of March 5 for keeping administration of these programs close to the local people and for greater State and local participation.

The President in his 1957 message to Congress endorsed this legislation.

The Committee on Appropriations of the House in its report on the urgent deficiency appropriation bill on February 1, 1957, likewise endorsed this proposal.

The Secretary of Agriculture, in a letter dated August 23, 1957, urges the prompt enactment of this bill, not only in the interest of economy, but states that "the Department of Agriculture feels strongly that participation by the States in the cost of drought relief is necessary if sound management of the assistance program is to be obtained."

The American Farm Bureau has likewise endorsed the principal of State participation as embodied in S. 304.

As a part of my remarks, I ask unanimous consent to have incorporated in the RECORD a letter dated August 23, 1957, signed by Secretary Benson, and a second letter under the same date signed by Mr. Matt Triggs, assistant legislative director of the American Farm Bureau, both urging the enactment of S. 304.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

DEPARTMENT OF AGRICULTURE,

Washington, D. C., August 23, 1957.

Hon. JOHN J. WILLIAMS,

United States Senate.

DEAR SENATOR WILLIAMS: This is in reply to your request of August 22 for our comments on S. 304, a bill to provide for a

Alaska, to promote the conservation of fishery resources thereof, and for other purposes;

H. Con. Res. 229. Concurrent resolution providing the two Houses of Congress shall adjourn on Friday, August 30, 1957, sine die; and

H. Con. Res. 230. Concurrent resolution authorizing the signatures on enrolled bills notwithstanding the sine die adjournment of the two Houses.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, bills and a joint resolution of the House of the following titles:

H. R. 1419. An act for the relief of Mrs. Hannah Mae Powell;

H. R. 1883. An act for the relief of Benedict M. Kordus;

H. R. 2486. An act to authorize Commodity Credit Corporation to grant relief with respect to claims arising out of deliveries of eligible surplus feed grains on ineligible dates in connection with purchase orders under its emergency feed program;

H. R. 4335. An act for the relief of Ramon Tavaréz;

H. R. 4544. An act for the relief of Louis S. Levenson;

H. R. 5719. An act for the relief of Clara M. Briggs;

H. R. 7096. An act to amend paragraph 1684 of the Tariff Act of 1930 with respect toistle or Tampico fiber; and

H. J. Res. 253. Joint resolution to establish a commission to commemorate the 100th anniversary of the Civil War, and for other purposes.

The message also announced that the Senate had passed bills and a joint resolution of the following titles, in which the concurrence of the House is requested:

S. 116. An act to provide for the appointment of additional district judges for the northern district of Illinois;

S. 264. An act to provide for the appointment of a district judge for the district of Kansas;

S. 304. An act to provide for a specific contribution by State governments to the cost of feed or seed furnished to farmers, ranchers, or stockmen in disaster areas, and for other purposes;

S. 324. An act to provide for the appointment of an additional district judge for the southern district of Florida;

S. 430. An act to provide for the appointment of a district judge for the middle district of Tennessee;

S. 452. An act for the relief of Julia Sliwiska;

S. 472. An act to provide for the appointment of two additional district judges for the district of Connecticut;

S. 573. An act conferring jurisdiction upon the United States Court of Claims to hear, determine, and render judgment upon a certain claim of Mrs. Walter E. von Kalinowski;

S. 697. An act to provide for the appointment of a district judge for the district of Maryland;

S. 781. An act for the relief of Michele Niro;

S. 1060. An act to provide for the appointment of a district judge for the district of Colorado;

S. 1208. An act for the relief of Ludwik Abramski;

S. 1224. An act to provide for the appointment of a district judge for the district of Massachusetts;

S. 1287. An act for the relief of Heinz August Schwarz;

S. 1359. An act for the relief of Franz Hehn;

S. 1493. An act for the relief of Michael James Bolger;

S. 1480. An act for the relief of Martha A. McDermott Stothard;

S. 1543. An act for the relief of Dorene I. Fast;

S. 1562. An act for the relief of Winifred C. Lydick;

S. 1600. An act for the relief of the C-L Electric Co.;

S. 1606. An act for the relief of Linton Seymour Young;

S. 1714. An act for the relief of Roma H. Sellers;

S. 2230. An act to authorize the Secretary of the Interior to convey certain lands to the Charlotte Rudland Dansie Association;

S. 2533. An act to amend the Federal Property and Administrative Services Act of 1949 to authorize the Administrator of General Services to lease space for Federal agencies for periods not exceeding 15 years, and for other purposes;

S. 2700. An act to provide for the appointment of a district judge for the eastern, middle, and western districts of North Carolina;

S. 2701. An act to provide for the appointment of an additional district judge for the southern district of Mississippi;

S. 2702. An act to make permanent the temporary judgeship for the district of Utah;

S. 2703. An act to provide for the re-districting of the judicial district of North Dakota, and for other purposes;

S. 2714. An act to provide for the appointment of district judge for the district of Nevada;

S. 2747. An act to provide for the appointment of two additional district judges for the eastern district of Pennsylvania;

S. 2773. An act to provide for the appointment of a district judge for the eastern and western districts of South Carolina;

S. 2799. An act to provide for a circuit judgeship for the 8th circuit, and for the appointment of a district judge for the northern and southern districts of Iowa;

S. 2832. An act to provide for the appointment of one additional district judge for the northern district of Ohio and one additional district judge for the southern district of Ohio;

S. 2840. An act to create a new and separate judicial district in California and to create a new division for the northern district in said State;

S. 2864. An act to provide for the appointment of additional judges for the court of appeals for the second circuit and the district courts for the southern and eastern districts of New York; and

S. J. Res. 131. Joint resolution authorizing the President to issue a proclamation calling upon the people of the United States to commemorate with appropriate ceremonies the 100th anniversary of the admission of the State of Oregon into the Union.

The message also announced that the Senate agrees to the amendments of the House to bills of the Senate of the following titles:

S. 1007. An act for the relief of Sgt. Donald L. Coleman; and

S. 1636. An act for the relief of Delfina Cinco de Lopez.

The message also announced that the Senate insists upon its amendment to the bill (H. R. 6322) entitled "An act to provide that the dates for submission of plan for future control of property and transfer of the property of the Menominee Tribe shall be delayed," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. NEUBERGER, Mr. CHURCH, and Mr. WATKINS to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1791) entitled "An act to further amend the Reorganization Act of 1949, as amended, so that such act will apply to reorganization plans transmitted to the Congress at any time before June 1, 1959."

COMMODITY CREDIT

Mr. POAGE. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 2486) to authorize the Commodity Credit Corporation to grant relief with respect to claims arising out of deliveries of eligible surplus feed grains on ineligible dates in connection with purchase orders under its emergency feed program, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill, and the Senate amendment as follows:

Page 2, lines 7 and 8, strike out "12 months from the date the purchase order was issued to the farmer" and insert "6 months from the expiration date of the purchase order issued to the farmer."

The SPEAKER. Is there objection to the request of the gentleman from Texas?

Mr. KEATING. Mr. Speaker, reserving the right to object, the minority leader indicated to me that there would be no new business brought up in the way of concurrence in Senate amendments.

The SPEAKER. The Chair believes the gentleman is mistaken.

The minority leader told the Chair when he left that he would object to any Senate bill being brought up that had not been acted on by the House committee. That is as far as he went with me.

Mr. KEATING. The Speaker may be entirely correct; I may have misunderstood him. May I ask whether this has been acted upon by the House committee?

Mr. POAGE. Certainly. It was acted on by the House committee by unanimous vote of the House committee and unanimous vote of the House.

Mr. KEATING. Has the amendment made by the Senate received the approval of the House Committee on Agriculture?

Mr. POAGE. No, the amendment has not. The amendment simply reduces the period of the House bill from 1 year down to 6 months.

Mr. SMITH of Wisconsin. Mr. Speaker, I object.

The SPEAKER. The Chair understood that this was cleared with the gentleman from Iowa.

Mr. POAGE. I did confer with the gentleman from Iowa less than 30 minutes ago, and he agreed that it was perfectly all right to bring it up.

Mr. MILLER of Nebraska. Mr. Speaker, will the gentleman yield?

The SPEAKER. Unless the gentleman from Wisconsin [Mr. SMITH] takes different action, there is nothing to yield to.

Objection is heard.

TARIFF TREATMENT OF ISTLE OR TAMPICO FIBER

Mr. COOPER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 7096) to amend paragraph 1684 of the Tariff Act of 1930 with respect to istle or Tampico fiber, with Senate amendments thereto, and concur in the Senate amendments.

The bill was introduced by the gentleman from Ohio [Mr. JENKINS]. I am simply making this request in his behalf.

The Clerk read the title of the Senate bill.

The Clerk read the Senate amendments as follows:

After line 8, insert:

"Sec. 2. The amendments made by the first section of this act shall apply only in the case of articles entered for consumption, or withdrawn from warehouse for consumption, during the 3-year period beginning on the day following the date of the enactment of this act."

After line 8, insert:

"Sec. 3. (a) Except as provided in section 4 of this act, no tariff or customs duty shall apply with respect to a beta-ray spectrometer, complete, consisting of a magnet unit, motor-generator set, and control rack, which is entered or withdrawn from warehouse for consumption by Stanford University, Stanford, Calif., for use at such university in connection with research for the Office of Naval Research and the Alfred P. Sloan Foundation, Inc., New York, N. Y.

"(b) Subsection (a) shall apply whether such beta-ray spectrometer is entered, or withdrawn from warehouse, for consumption before, on, or after the date of the enactment of this act. If the liquidation of such entry or withdrawal has become final, such entry or withdrawal may be reliquidated and the appropriate refund of duty may be made."

After line 8, insert:

"Sec. 4. Section 3 of this act shall apply only so long as title to the beta-ray spectrometer entered or withdrawn free of duty under such section is vested in Stanford University. In the event that title to such spectrometer becomes vested in any other person after such entry or withdrawal, such spectrometer shall become subject to all duties imposed thereon by the revenue laws in force on the date on which such title becomes so vested. Such duties shall be assessed according to the appraised value on the date on which such title becomes so vested, with due allowance made for depreciation from handling and use.

"Sec. 5. (a) Section 201 of the Tariff Act of 1930 is amended by adding at the end thereof the following new paragraph:

"PAR. 1822. Yarns, wholly or in chief value of wool, dyed and cut into uniform lengths not exceeding 3 inches, in immediate packages or containers not exceeding 6 ounces in weight, including the weight of the immediate package or container."

"(b) The amendment made by this section shall apply only in the case of articles entered for consumption, or withdrawn from warehouse for consumption, on and after the day following the date of enactment of this act."

Amend the title so as to read: "An act to amend paragraph 1684 of the Tariff Act of 1930 with respect to istle or Tampico fiber, to admit free of duty a beta-ray spectrometer for use at Stanford University, Stanford, Calif., and for other purposes."

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

Mr. COOPER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and immediately following my remarks that the gentleman from New York [Mr. REED] may extend his remarks on this bill.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. COOPER. Mr. Speaker, in the form in which H. R. 7096 passed the House of Representatives, it would have transferred dressed or manufactured istle or Tampico from the dutiable to the free list of the Tariff Act of 1930.

The Senate has added three substantive amendments to the bill, which I will briefly describe as follows:

First, the Senate adopted an amendment limiting the free importation of istle or Tampico fiber to a period of 3 years rather than transferring it to the duty-free list. The Senate Finance Committee report stated that this amendment was adopted so that there might be a testing period and to provide for future congressional scrutiny. The report further stated that the 3-year limitation was adopted without prejudice in the event further extensions are deemed advisable.

Second, the bill was amended so as to provide for the free importation of a beta-ray spectrometer for the use of Stanford University in the field of research. The Senate Finance Committee report stated that, inasmuch as the study and research of ultrashort rays is valuable to the health and scientific advancement to the country as a whole, and inasmuch as a part of this research is provided for by grants and contributions, that free importation might be provided for in this case. The Committee on Ways and Means had bills pending before it on this subject.

Third, a Senate amendment would permit duty-free importation of certain dyed wool yarn cut in uniform lengths not to exceed 3 inches and wrapped in individual packages not to exceed 6 ounces in weight. These yarns are specially designed for use in making hand-hooked rugs which are essentially produced by individuals either for personal use or for gifts and it is understood that these yarns are often used by invalids and other shut-ins in the manufacture of such rugs. These yarns are presently classifiable under the catchall provisions of the Tariff Act for "manufactures, wholly or in chief value of wool, not specially provided for." The Senate Finance Committee report stated that no opposition from industry has been made known to this amendment, and that domestic woolgrowers and manufacturers of wool products agree that the purpose of the amendment is good and have no objection to its adoption.

Our distinguished colleague on the Committee on Ways and Means, the Honorable EUGENE J. MCCARTHY, has introduced a bill on this subject on which favorable reports were received from the departments concerned by the Committee on Ways and Means.

It is my understanding that this particular amendment will be of value to handicapped persons and to veterans and others who not only find hand weaving excellent therapy but also because it will provide them with some occupation and recreation which they might not otherwise enjoy.

Mr. REED. Mr. Speaker, I have concurred in the request made by the distinguished chairman of the Committee on Ways and Means, the gentleman from Tennessee [Mr. COOPER] that the House agree to the Senate amendments to H. R. 7096. This legislation as it passed the House had as its purpose the transfer of dressed or manufactured istle or tampico from the dutiable to the free list for tariff purposes. The Senate amendments to this legislation would provide for a 3-year suspension of the duty on istle or tampico instead of transferring this article to the free list.

In addition, the Senate amended the bill to provide for the free importation of a beta-ray spectrometer for the use by Stanford University.

Another Senate amendment would permit duty-free importation of certain wool yarn used in making hand-hooked rugs.

I have supported the House action in approving this legislation as amended by the Senate.

ESTABLISHMENT OF COMMISSION TO COMMEMORATE HUNDREDTH ANNIVERSARY OF CIVIL WAR

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent, on behalf of the distinguished gentleman from Virginia [Mr. TUCK], to take from the Speaker's table the resolution (H. J. Res. 253) to establish a commission to commemorate the 100th anniversary of the Civil War, and for other purposes, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the joint resolution.

The Clerk read the Senate amendments, as follows:

Page 2, line 7, strike out "eighteen" and insert "twenty-five."

Page 2, line 12, strike out "six" and insert "four."

Page 3, line 6, strike out "(a)" and insert "(6)."

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

MRS. HANNAH MAE POWELL

The SPEAKER. The Chair recognizes the gentleman from Massachusetts [Mr. LANE].

Mr. LANE. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 1419) for the relief of Mrs. Hannah Mae Powell, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

body greatly improved the situation. The bill that was passed over there with the jury trial amendment covering everything under the sun was ridiculous on its face and produced patently absurd results. While I do not agree with my chairman about giving in at that point and accepting a weak and watered down measure, yet he did at least in his proposal limit the bill to the protection of voting rights only. That represented at least a responsible approach to the legislative problem before us.

The other body has just today passed some bills with reference to judgeships, many of which, and I am sure the chairman will agree with me, were not considered sound by the House Committee on the Judiciary. We consider these bills on their merits in our committee and do not send to this House for action bills which have not received the approval of the Judicial Conference.

Mr. Speaker, so that my position regarding Mr. Drury's article will be unmistakably clear, I append at this point my letter to the editor of the *New York Times*, dated August 20.

Mr. McCARTHY. I intended my statement to be in the nature of a rebuttal.

AUGUST 20, 1957.

SUNDAY EDITOR (MAGAZINE),
New York Times,

New York, N. Y.

DEAR SIR: Allen Drury's provocative article, *Is the House a Rubber Stamp?* reflects a real challenge by one of Washington's most able journalists. Perhaps he intended it to raise the hackles of House Members. If so, he has succeeded admirably.

There are, of course, great failings and weaknesses in any legislative body, and we who serve in it would be the first to admit the House is no exception. It is significant, in this connection, to note that in recent years important steps have been taken to strengthen the solid marrow of the House, the committee system, where the real work of this body is performed. As a result of this streamlining process only a very few Members serve on more than one committee.

The result has been that each Member can become an expert in the business of the committee on which he serves, and can personally devote more time and energy to the problems which come before it. In the Senate, on the other hand, the plethora of committees spread among the 93 Senators results in each having to serve on at least two and often more committees. The necessary dilution of the Senator's attention means that a premium is placed on the work of aids and committee staffs, rather than on the personal work of the Senator, and also often leads to committee decisions made solely on the basis of senatorial courtesy rather than on the merits of a particular matter.

What this all means is that House committees, with few exceptions, do the real spadework below the surface which makes possible expeditious handling of measures on the floor of the House. With less fanfare, but greater perceptiveness, House committees in innumerable cases have made the really deep studies necessary to responsible legislation, while the Senate has either given the matter a cursory examination, or merely sat back and waited to see what the House would do.

Because our committee system does function so well, in most cases, House action on the floor can often be effectively carried out with a minimum of debate. In saying this, I am mindful of the fact that some com-

mittee chairmen do exercise undue influence on matters under their consideration, and do occasionally stifle the "free flow of opinion," as Mr. Drury puts it. But I would emphasize that such procedures are definitely the exception rather than the rule. Broadly speaking, the committees of the House are carefully carrying out their functions—that of winnowing out ideas and bills and attempting to come up with the best possible measure upon which the entire membership can work its will. It does not appear to me that the Senate committees come close to living up to the standards set by their brethren in the House.

As for debate on the floor of the House, Mr. Drury refers to the cute limitations and gimmicks which subject the membership to the will of the party leaders. Although there is some truth to this allegation, it is equally true that with an unwieldy forum of 435 Members, some curbs must be placed on the discussion. After all, the Senate, for all its famed debates, has far fewer Members—there are roughly $4\frac{1}{2}$ times as many Members of the House—and can thus afford the luxury (which we would surely relish) of talking at great length on the floor on important questions involving legislation.

The important point—which Mr. Drury largely ignores—is that the House committee system, when it operates as it should (and usually it does) smoothes the way for floor discussion and prevents the needless talkathons which have so often become a Senate trademark. If there is less talking in the House on individual bills, it is thus because less legitimate talk is necessary after the thorough work and report of the committee which handled the bill are made public.

It is not completely true, as the article hints, that the House prefers to pass the buck to the Senate on controversial legislation, and thus does a slipshod job of considering individual bills, secure in the knowledge the Senate will correct any shortcomings. A case in point, which has been largely misinterpreted by the press, is the civil-rights bill.

The completeness of the House consideration of the civil-rights bill is attested to by the fact that a virtually identical bill was subjected to 3 days of hearings by a House Judiciary Subcommittee, 4 days of full Judiciary Committee consideration, 3 days of hearings by the Rules Committee, and finally, 5 days of debate on the floor of the House in the 84th Congress. And this year, there were 9 days of hearings before a House Judiciary Subcommittee, 6 days of full committee consideration, 9 days of hearings by the Rules Committee, and 9 days of floor debate on the measure before it finally went to the Senate.

Even a quick glance at the records of these proceedings would reveal that the great majority of the talking was done by opponents of the measure. They had free and full opportunity to exploit any shortcomings they felt inhered in the bill. Every conceivable argument, pro and con, was brought to light during this full consideration.

As an active participant in all phases of the House debate, I can state unequivocally that every argument which has since been advanced in the Senate, was first debated in the House. The debate in the Senate, though perhaps more fully covered by the press, was no more sober and careful, no more reasoned and cogent and deliberate than that carried on in the House.

The House debate on the jury-trial amendment was far from cursory; as Mr. Drury and others would lead one to believe. It was so complete and emphatic, that the House—with a will—rejected the novel innovation of the jury trial where it has never before existed. But in the Senate, a flood of words and misguided pressures resulted in the passage of a sweeping revision of our

general criminal contempt laws, without hearings or proper investigation of any sort.

It puts the Senate in the ridiculous position of wrecking numerous vital Federal laws and hamstringing the operation of a fistful of Government agencies, as well as taking even the baby teeth out of the moderate House right-to-vote protection. It now appears the House—as it has had to do in many other cases—must show the Senate the errors of its impetuous ways and correct this incredible jury-trial boggle.

And as to the House bending to the popular thing to do on the civil-rights bill, the statement is true to the extent that the will of the majority of the people seemed to be to pass a meaningful bill to help citizens who are being deprived of their constitutional rights. But it is not true that by keeping the bill strong, the House was waving like a reed in the wind of popular opinion. Rather, it was the Senate, as exemplified by accepting this ridiculous form of jury-trial amendment which was swayed by momentary and misguided outside pressures to stray far from the accepted and traditional concepts of the powers of our courts to enforce their orders.

One final word as to the nature and caliber of the membership of the House. I have never, in my various contacts with adults in all walks of life, encountered a group of men and women more dedicated to their work, more determined to do a good job for their constituents and for their country, than Members of the House of Representatives. I do not think Members of Congress should be criticized simply because the pressures of their responsibilities prevent them from taking an active role in every phase of the congressional legislative program. They are doing the very best they can, within the limitations of staff allotments and the extent of the time they have available. To criticize their backgrounds or their abilities is indirectly to criticize the districts which they represent. For surely, there is no finer cross section, no finer reflection of the thinking and opinion of each section of our land, than the membership of the House of Representatives.

This accurate mirroring of the tides of public opinion is, after all, a principal role foreseen by our Founding Fathers for this body. I am firmly convinced the House of Representatives today is fully and intelligently carrying out that vital function in the American system of government.

Very sincerely yours,

KENNETH B. KEATING.

CLAIMS ON DELIVERIES OF ELIGIBLE SURPLUS FEED GRAINS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 2486) to authorize Commodity Credit Corporation to grant relief with respect to claims arising out of deliveries of eligible surplus feed grains on ineligible dates in connection with purchase orders under its emergency feed program, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, lines 7 and 8, strike out "12 months from the date the purchase order was issued to the farmer" and insert "six months from the expiration date of the purchase order issued to the farmer."

The SPEAKER. The Chair will state that the reason for recognizing Members from the Committee on Agriculture is that the gentleman from Wisconsin [Mr.

SMITH] said that he would withdraw his objection.

Is there objection to the request of the gentleman from Oklahoma?

Mr. KEATING. Mr. Speaker, reserving the right to object, I am not familiar with the provisions of this bill myself. I hesitate to approve it unless there are members of the Committee on Agriculture on this side who are present.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. KEATING. I yield to the gentleman.

Mr. GROSS. I was present on the floor before the session was resumed during the recess. The gentleman from Texas [Mr. POAGE] and the gentleman from Texas [Mr. FISHER] came to the gentleman from Iowa [Mr. HOEVEN], a member of the Committee on Agriculture of the minority party, and secured his approval of the bill.

Mr. BROWN of Ohio. Mr. Speaker, will the gentleman yield to me?

Mr. KEATING. I yield to the gentleman.

Mr. BROWN of Ohio. Mr. Speaker, I happened to be present at that time and heard the conversation.

The SPEAKER. If the gentleman from New York desires an explanation of the bill, I am sure that will be made.

Mr. KEATING. Mr. Speaker, I think it would be well to have an explanation of the bill.

Mr. ALBERT. This is a bill which has been voted out of the House Committee on Agriculture unanimously and was approved by the House without a dissenting vote. The only thing that has happened to this bill in the Senate is that the time period for taking advantage of it has been reduced from 1 year to 6 months. It is simply a limiting amendment narrowing down the provisions of the bill. There is no objection that I know of to the bill in the Committee on Agriculture and, as I have stated, it has been cleared. I would suggest to the gentleman that we are getting a more limited bill than the House originally agreed to.

Mr. KEATING. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

IS THE SOCIAL SECURITY DISABILITY PROGRAM ADMINISTERED PROPERLY?

Mr. ZABLOCKI. Mr. Speaker, a year has passed since the Congress approved the Social Security Act Amendments of 1956, giving new hope, and new encouragement, to thousands of our disabled wage earners.

This month, around 100,000 disabled workers received their first checks under the new provision of the law. To them, and to their families, these benefits mean protection against hardships and privations.

SPONSORED LEGISLATION

I am very happy to see these developments. For a number of years, I have worked for the passage of legislation to establish this special protection for disabled workers. I was among the first sponsors of this amendment to the Social Security Act in the 84th Congress.

Even though the law approved in 1956 did not go as far as the improvements suggested in my bill, it represented a step in the right direction. I proposed that disability benefits be extended to all totally and permanently disabled workers regardless of age. As approved by Congress, the law stated that the worker has to be at least 50 years of age to qualify for such payments. In that respect, the law is much less liberal than my original proposal.

BENEFITS GIVEN TO A FEW

While I am pleased that our workers are finally receiving some measure of the protection that they well deserve, there is one aspect of this situation which concerns me greatly; namely, that only 100,000 workers have been declared eligible for disability benefits by the Social Security Administration to date.

This number is very small in relation to the number of workers who were engaged in social-security-covered employment, and who became seriously disabled.

Last September, for instance, Commissioner Schottland of the Social Security Administration wrote that "disability insurance payments could be payable for July 1957 to 400,000 individuals." By the time the President's budget message was published in January of this year, that estimate dropped to 380,000 people. And now the Social Security Administration tells us that they expect to have only 275,000 persons on the disability benefit rolls by the end of the first year of the program.

This is a very disconcerting situation. Only 100,000—or one-fourth of the estimated number of persons who should be eligible to receive disability benefits—are actually receiving these payments.

REASONS FOR RESTRICTED BENEFITS

How can we explain this situation? On the basis of my personal experience with numerous disabled workers who applied for disability benefits, I would say that the reason for this state of affairs is this:

In the first place, some disabled workers have either failed to apply for disability benefits, or failed to prove their case. That is, they may not have submitted the required evidence of their disability to the Social Security Administration.

The second reason is more serious—and demands our earnest attention.

I believe that so few disabled workers have actually qualified for disability benefits because the Social Security Administration has been using a yardstick to measure the extent of an applicant's disability which is contrary to the intent of Congress.

"DISABILITY" DEFINED

The law defines the term "disability" as "inability to engage in any substantial gainful activity by reason of any physical or mental impairment."

Our courts have defined and explained similar clauses in other laws and contracts. Court decisions have repeatedly held that a person need not be on his back, bedridden, unable to move, in order to receive total disability benefits.

On the contrary, the courts have ruled that as long as a person was unable to follow "substantial gainful employment," he could be considered for disability benefits.

What exactly do we mean by "substantial gainful employment"?

Here, again, we can look for guidance to past court decisions.

In general, the courts have held that "substantial gainful employment" has to have these elements:

In the first place, it must involve the performance of a substantial amount of work.

Second, that work must assure the person performing it a fair and decent living, related to his station.

And, third, that the employment or self-employment must be fairly regular.

In other words, unless these three elements were present, the worker may not be engaged in "substantial gainful employment."

This is what the courts have held in the past. They held that a person could be totally disabled if he was unable to do a reasonable amount of work, with a reasonable amount of regularity, and thereby earn a decent living.

SOCIAL SECURITY VIEW

Now let us compare the attitude of the Social Security Administration in administering the new disability benefits program with the precedents established by our courts.

In a 29-page pamphlet issued by the agency, entitled, "If You Are Disabled," there is this statement:

To qualify for disability benefits, you must have a disability which is so severe that it prevents you from doing any kind of work.

This is not what the Congress had in mind when it passed the law. Congress did not say that you must be unable to do any kind of work before you could qualify for disability benefits. It clearly said that you could not be engaged in a substantial gainful activity.

There is a tremendous difference between "substantial gainful activity" and "any kind of work." I have already pointed out how our courts have defined the former. As far as the latter is concerned, the Social Security Administration seems to feel that if a paralyzed worker is able to sell pencils on the corner from an invalid's chair, he is not eligible for disability benefits because, after all, he is doing some kind of work. And the agency's book says that as long as you can do any kind of work you are not disabled.

This is a strange and a harsh interpretation of the law. Congress did not intend disability benefits to be restricted only to the totally helpless, bedridden workers. They were intended for all of the insured workers who lost the capacity to provide adequately for their families and for themselves because of physical or mental disabilities.

Public Law 85-312
85th Congress, H. R. 2486
September 7, 1957

AN ACT

To authorize Commodity Credit Corporation to grant relief with respect to claims arising out of deliveries of eligible surplus feed grains on ineligible dates in connection with purchase orders under its emergency feed program.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Commodity Credit Corporation, under such regulations as may be approved by the Secretary of Agriculture, is hereby authorized to grant relief to farmers and dealers in connection with claims arising out of early and late deliveries under purchase orders for drought relief feed issued under the 1954, 1955, and 1956 emergency feed programs, by recognizing as valid those purchases and deliveries of designated surplus feed grains and approved mixed feeds, which (a) were actually purchased by the farmer from the dealer on or after the date the Secretary declared the county, where the purchase order was issued, to be eligible for assistance under the emergency feed program, and (b) are found to have been physically delivered to the farmer not later than six months from the expiration date of the purchase order issued to the farmer.

Commodity Credit Corporation.
Emergency feed programs, relief.
71 Stat. 632.
71 Stat. 633.

Approved September 7, 1957.

